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A
D E F E N C E
OF THE
People of *ENGLAND*,

B Y
J O H N M I L T O N:

In *A N S W E R* to

Salmasius's Defence of the King.

Printed in the Year 1692.

DE KUNSTEN EN WETENSCHAPPEN

WISSENSCHAPPELIJKE VERGENDE

DE KUNSTEN EN WETENSCHAPPEN

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TO THE ENGLISH READER.

THE Author of this Book is sufficiently known, and so is the Book it self, both at Home and Abroad, to the Curious and Inquisitive; but never having been rendered into English, many, whose Veneration for the Author would induce them to read any thing of his, and who could not master it in the Language in which he wrote it, were deprived of the pleasure of perusing it, and of the Information they might justly expect from it. To gratifie them it is, that this Translation, long since made, is now published; for the person who took the pains to Translate it, did it partly for his own private entertainment, and partly to gratifie one or two of his Friends, without any design of making it publick, and is since deceased: And the Publisher thinks it necessary to advertise the Reader some few things concerning it.

As First, That the Author does with a great Freedom of Language, and Strength of Reason, detect the Fallacy of all the Cobweb Arguments made use of by the Flatterers of Princes, to prove their Power to be derived immediately from God, and to be superior to that of the Law, whether deduced from Scripture, Reason, or Authority.

Secondly, That whereas some things are inserted, that contain Personal Reflections upon the late King Charles the First, and pains taken to justify all the Proceedings of the Parliament from first to last, which may sound harsh in some of our ears; the Reader ought to consider the time when these things were written, and the occasion of the Author's Undertaking this Defence, which were such as put him under a necessity of Vindicating whatever his Masters had done. The Translator has not felt him, nor was the Publisher willing to do it; especially since the Book has for many years been so publick, tho in another Language. And the great Use which it yields for the most part, ought not to be lost, because some things are here and there interspersed, which the Publisher could wish there had been no occasion for.

Thirdly, That some Passages here and there may seem obscure, because the Author presupposeth

*seth his Readers to have read Salmasius; to some
prayer of whose Authorities and Reasons, such
Passages relate.*

*Fourthly, That where Salmasius's words are
inserted, they are, for the most part, if not al-
ways in Italick : Tho the Coherence of the Dis-
course would sufficiently disclose to one that reads
with care, when Salmasius speaks, and when the
Author.*

*Fifthly, That if the Author may seem to lay
aside even rules of Decency in treating his Ad-
versary, whom indeed he ridicules and exposes
with a great deal of Smartness, Freedom, and
Contempt, it must be considered, That the Au-
thor wrote on the behalf, and in Defence of the
Powers then in being, and in answer to a private
person, who had loaded them with all Reproaches
imaginable, and who could not possibly give worse
language to the meanest, the most contemptible,
and the most unworthy person upon earth, than he
does in his Defensio Regia, to men that had then
the Government of one of the most Potent Na-
tions in Christendom.*

*Sixthly, That the Translator has kept perhaps
too close to his Copy, and not taken that liberty
which is allowed to a Translation, especially in*

the angry and peevish parts of it : But it's hoped the Faithfulness of the Translation may in some measure recompence for that ; and it is very well known to those that knew him, that he neither could, nor did pretend to lash so well in English, as the Author could in Latin.

Lastly, That some of the Author's Sarcafmes depending upon the sound and ambiguity of Latin words, do (as they needs must) lose their Beauty and Elegance in a Translation.

T H E

T H E

A U T H O R ' s P r e f a c e .

ALTHO I fear, lest, if in defending the People of *England*, I should be as copious in Words, and empty of Matter, as most Men think *Salmasius* has been in his Defence of the King; I might seem to deserve justly to be accounted a verbose and silly Defender; yet since no Man thinks himself obliged to make so much haste, tho in the handling but of any ordinary Subject, as not to pre-mise some Introduction at least, according as the weight of his Subject requires; if I take the same course in handling well-nigh the greatest Subject that ever was, without being too tedious in it, I am in hopes of attaining two things, which indeed I earnestly desire: The one, not to be at all wanting, as far as in me lies, to this most Noble Cause, and most worthy to be recorded to all future Ages. The other, That I shall appear to have avoided my self, that frivolousness of Matter, and redundancy of Words, which I find fault with in my Antagonist. For I am about to discourse of Matters, neither inconsiderable nor common, but how a most Potent King, after he had trampled upon the Laws of the Nation, and given a shock to its Religion, and was ruling at his own Will and Pleasure, was at last subdu'd in the Field

Fied by his own Subjects, who had undergone a long Slavery under him; how afterwards he was cast into Prison, and when he gave no ground, either by Words or Actions, to hope better things of him he was finally by the Supreme Council of the Kingdom condemned to dye, and beheaded before the very Gates of the Palace. I shall likewise relate, (which will much conduce to the easing mens minds of a great Superstition,) by what Right, especially according to our Law, this Judgment was given, and all these Matters transacted; and shall easily defend my Valiant and Worthy Countrymen, and who have extremely well deserved of all Subjects and Nations in the World, from the most wicked Calumnies both of Domestick and Foreign Railers, and especially from the Reproaches of this most vain and empty Sophister, who sets up for a Captain and Ringleader to all the rest. For what King's Majesty sitting upon an Enalted Throne, ever shone so brightly, as that of the People of England then did, when shaking off that old Superstition, which had prevailed a long time, they gave Judgment upon the King himself, or rather upon an Enemy, who had been their King, caught as it were in a Net by his own Laws (who alone of all Mortals challenged to himself impunity by a Divine Right) and scrupled not to inflict the same punishment upon him himself, being guilty, which he would have inflicted upon any other. But why do I mention these things as performed by the People? which almost open their Voice themselves, and testify the Presence of God throughout. Who, as often as it seems good to his Infinite Wisdom, uses to throw down proud and unruly Kings, exalting themselves above the Condition of Humane Nature, and utterly to extirpate them and all their Family.

By

By his manifest Impulse being set on work to recover our almost lost Liberty, following him as our Guide, and adoring the impresses of his Divine Power manifested upon all occasions, we went on in no obscure, but an illustrious Passage, pointed out, and made plain to us by God himself. Which things, if I should so much as hope by any diligence or ability of mine, such as it is, to discourse of as I ought to do, and commit them so to writing, as perhaps all Nations and all Ages may read them, it would be a very vain thing in me. For what stile can be august and magnificent enough, what man has parts sufficient to undertake so great a Task? since we find by Experience, that in so many Ages as are gone over the World, there has been but here and there a man found, who has been able worthily to recount the Actions of Great Heroes, and Potent States; can any man have so good an opinion of himself, as to think himself capable to reach these glorious and wonderful Works of Almighty God, by any Language, by any stile of his? Which Enterprize, though some of the most Eminent Persons in our Commonwealth have prevailed upon me by their Authority to undertake, and would have it be my business to vindicate with my Pen against Envy and Calumny (which are proof against Arms) those Glorious Performances of theirs (whose opinion of me I take as a very great honour, that they should pitch upon me before others to be serviceable in this kind to those most Valiant Deliverers of my Native-Country; and true it is, that from my very youth I have been bent extremely upon such sort of Studies, as inclin'd me, if not to do great things my self, at least to celebrate those that did) yet as having no confidence in any such Advantages, I have recourse to the Divine Assistance; And invoke the

the Great and Holy God, the Giver of all good Gifts, that I may as substantially, and as truly, discuss and refute the Sawciness and Lies of this Foreign Declamator, as our Noble Generals piously and successfully by force of Arms broke the King's Pride, and his unruly Domineering, and afterwards put an end to both by inflicting a memorable Punishment upon himself; and as throughly as a single person did with ease but of late confute and confound the King himself, rising as it were from the Grave, and recommending himself to the People in a Book publish'd after his death, with new Artifices and Allurements of Words and Expressions. Which Antagonist of mine, though he be a Foreigner, and, though he deny it a thousand times over, but a poor Grammarian; yet not contented with the Salary due to him in that Capacity, chose to turn a Pragmatical Coxcomb; and not only to intrude in State-Affairs, but into the Affairs of a Foreign State: tho he brings along with him neither Modesty, nor Understanding, nor any other qualification requisite in so great an Arbitrator, but Sawciness, and a little Grammar only. Indeed, if he had publish'd here, and in English, the same things that he has now wrote in Latin such as it is, I think no man would have thought it worth while to return an Answer to them, but would partly despise them as common, and exploded over and over already, and partly abhor them as fordid and Tyrannical Maxims, not to be endured even by the most abject of Slaves; Nay, men that have even sided with the King, would have had these thoughts of his Book. But since he has swol'n it to a considerable bulk, and dispers'd it amongst Foreigners, who are altogether ignorant of our Affairs and Constitution; it's fit that they who

mistake

mistake them, should be better informed; and that
 he, who is so very forward to speak ill of others,
 should be treated in his own kind. If it be asked, why
 we did not then attack him sooner, why we suffered
 him to triumph so long, and pride himself in our si-
 lence? For others I am not to answer; for my self I
 can boldly say, That I had neither had words nor
 Arguments long to seek, for the defence of so good a
 Cause, if I had enjoyed such a measure of health, as
 would have endur'd the fatigue of writing. And
 being but yet weak in Body, I am forced to write by
 piece-meal, and break off almost every hour, though
 the Subject be such as requires an unintermitted study
 and intenseness of mind. But though this bodily In-
 disposition may be a hindrance to me in setting forth
 the just Praises of my most worthy Countreymen,
 who have been the Saviours of their Native Country,
 and whose Exploits, worthy of Immortality, are al-
 ready famous all the World over; yet I hope it will
 be no difficult matter for me to defend them from
 the Insolence of this silly little Scholar, and from
 that sawcy Tongue of his at least. Nature and Laws
 would be in an ill case, if Slavery should find what
 to say for it self, and liberty be mute: and if Ty-
 rants should find men to plead for them, and they
 that can master and vanquish Tyrants, should not be
 able to find Advocates; And it were a deplorable
 thing indeed, if the Reason Mankind is endu'd withal,
 and which is the gift of God, should not furnish
 more Arguments for mens Preservation, for their De-
 liverance, and, as much as the nature of the thing
 will bear, for making them equal to one another,
 than for their oppression, and for their utter ruine
 under the Domineering Power of One single Person.

Let

Let me therefore enter upon this Noble Cause with a cheerfulness, grounded upon this Assurance, That my Adversary's Cause is maintain'd by nothing but Fraud, Fallacy, Ignorance and Barbarity; whereas mine has Light, Truth, Reason, the Practice and the Learning of the best Ages of the World, of its side.

But now, having said enough for an Introduction, since we have to do with Criticks; let us in the first place consider the Title of this Choice Piece: *Defensio Regia pro Car. Primo, ad Car. Secundum. A Royal Defence (or the King's Defence) for Charles the First to Charles the Second.* You undertake a wonderful piece of work, whoever you are; to plead the Father's Cause before his own Son: a hundred to one but you carry it. But I summon you, *Salmasius*, who heretofore sculk'd under a wrong name, and now go by no name at all, to appear before another Tribunal, and before other Judges, where perhaps you may not hear those little Applauses, which you use to be so fond of in your School. But why this Royal Defence dedicated to the King's own Son? We need not put him to the torture; he confesses why. *At the King's charge*, says he. O mercenary and chargeable Advocate! could you not afford to write a Defence for *Charles the Father*, whom you pretend to have been the best of Kings, to *Charles the Son*, the most indigent of all Kings, but it must be at the poor King's own Charge? But though you are a Knave, you would not make your self ridiculous, in calling it *the King's Defence*; for you having sold it, it is no longer yours, but the King's indeed: who bought it at the price of a hundred *Jacobusses*, a great Sum for a poor King to disburse. I know very well what I say:

say ; and 'tis well enough known who brought the Gold, and the Purse wrought with Beads : We know who saw you reach out greedy fists, under pretence of embracing the King's Chaplain, who brought the Present, but indeed to embrace the Present it self, and by accepting it to exhaust almost all the King's Treasury.

But now the man comes himself, the Door creaks ; the Actor comes upon the Stage.

*In silence now , and with attention wait,
That yee may learn what th' Eunuch has to prate.* Terent.

For whatever the matter's with him, he blusters more than ordinary. *A horrible message had lately struck our Ears, but our minds move, with a beinous wound concerning a Parricide committed in England in the Person of a King, by a wicked Conspiracy of Sacrilegious men.* Indeed that horrible Message must either have had a much longer Sword, than that which Peter drew, on those Ears must have been of a wonderful length, that it could wound at such a distance ; for it could not so much as in the least offend any Ears but those of an Ass. For what harm is it to you, that are Foreigners ? are any of you hurt by it, if we amongst our selves put our own Enemies, our own Traytors to death, be they Commoners, Noble-men, or Kings ? Do you, *Salmasius*, let alone, what does not concern you ; for I have a horrible Message to bring of you too ; which I'm mistaken if it strike not a *more beinous wound* into the Ears of all Grammarians and Criticks, provided they have any Learning and Delicacy in them: To wit, your crowding so many Barbarous Expressions together in one period in the person of (*Aristarchus*) a Grammarian, and that so great a Critick as you,

you, hired at the King's charge to write a Defence of the King his Father, should not only set so sulsome a Preface before it, much like those Lamentable Ditties, that used to be sung at Funerals, and which can move compassion in none but a Cox-comb ; but in the very first sentence should provoke your Readers to laughter with so many Barbarisms all at once. *Persona Regis*, you cry. Where do you find any such *Latin* ? Or are you telling us some tale or other of a *Perkin Warbeck*, who taking upon him the *Person of a King*, has, forsooth ! committed some horrible Parricide in *England* ? Which expression, though dropping carelessly from your Pen, has more truth in it, than you are aware of. For a Tyrant is but like a King upon a Stage, a man in a Vizard, and acting the part of a King in a Play ; he is not really a King. But as for these *Gallicisms*, that are so frequent in your Book, I won't lash you for them my self, for I am not at leisure ; but shall deliver you over to your fellow Grammarians, to be laught to scorn and whipt by them. What follows is much more *beinous*, that what was decreed by our Supreme Magistrates to be done to the King, should be said by you to have been done by a *wicked Conspiracy of Sacrilegious persons*. Have you the impudence, you Rogue, to talk at this rate of the Acts and Decrees of the chief Magistrates of a Nation, that lately was a most Potent Kingdom, and is now a more Potent Commonwealth ? Whose proceedings no King ever took upon him by word of mouth, or otherwise to vilifie and set at nought. The Illustrious States of *Holland* therefore, the Genuine Off spring of those Deliverers of their Country, have deservedly by their Edict condemn'd to utter darkness this Defence of Tyrants, so pernicious to the Liberty of all Nations ; the Author of which

which every free State ought to forbid their Country, or to banish out of it; and that State particularly, that feeds with a Stipend so ungrateful and so savage an Enemy to their Commonwealth; whose very Fundamentals, and the causes of their becoming a free State, this Fellow endeavours to undermine, as well as ours; and at one and the same time to subvert both; and loads with Calumnies the most worthy Asserters of Liberty there, under our Names. Consider with your selves, ye most Illustrious States of the *United Netherlands*, who it was that put this Asserter of Kingly Power upon setting Pen to Paper; who it was, that but lately began to play *Rex* in your Country; what Counsels were taken, what endeavours used, and what disturbances ensued thereupon in *Holland*; and to what pass things might have been brought by this time; how Slavery and a new Master were ready prepar'd for you, and how near expiring that Liberty of yours, asserted and vindicated by so many years War and Toil, would have been, ere now, if it had not taken breath again by the timely death of a certain rash young Gentleman. But our Author begins to strut again; and to feign wonderful Tragedies; *Whomsoever this dreadful news reacht* (to wit, the news of *Salmasius* his Parricidal Barbarisms) *all of a sudden, as if they had been struck with lightning, their hair stood an end, and their tongues cleve to the roof of their mouths*. Which let Natural Philosophers take notice of (for this secret in nature was never discovered before) that lightning makes mens hair stand an end

end. But who knows not that little effeminate minds are apt to be amaz'd at the news of any extraordinary great Action; and that then they show themselves to be what they really were before, no better than so many Stocks. Some could not refrain from tears; some little Women at Court, I suppose, or if there be any more effeminate than they, of whose number *Salmacius* himself being one, is by a new *Metamorphosis* become a Fountain near akin to his Name (*Salmacis*) and with his counterfeit flood of tears prepared over night, endeavours to emasculate generous minds: I advise therefore, and wish them to have a care,

————— *Infamis ne quem malè fortibus undis*
Salmacis Enervet. —————

————— *Ne, si vir cum veneris, exeat inde*
Semivir, & tactis subito mollescat in undis.

Abstain, as Manhood you esteem,
 From *Salmacis* pernicious Stream:
 If but one moment there you stay,
 Too dear you'l for your Bathing pay, —
 Depart nor Man nor Woman, but a Sight
 Disgracing both, a loath'd Hermaphrodite.

They

They that had more courage (which yet he expresses in miserable bald Latin, as if he could not so much as speak of men of courage and Magnanimity in proper words) *were set on fire with indignation to that degree, that they could hardly contain themselves.* Those furious Hectors we value not of a rush. We have been accustomed to rout such Bullies in the Field with a true sober courage; a courage becoming men that can contain themselves, and are in their right Wits. *There were none that did not curse the Author of so Horrible a Villany.* But yet, you say, their tongues clove to the roof of their mouths; and if you mean this of our Fugitives only, I wish they had clove there to this day; for we know very well, that there's nothing more common with them, than to have their mouths full of Curses and Imprecations, which indeed all good men abominate, but withal despise. As for others, it's hardly credible, that when they heard the news of our having inflicted a Capital Punishment upon the King, there should any be found, especially in a Free State, so naturally adapted to Slavery, as either to speak ill of us, or so much as to censure what we had done: Nay, 'tis highly probable, that all good men applauded us, and gave God thanks for so illustrious, so exalted a piece of Justice; and for a caution so very useful to other Princes. In the mean time, as for those *fierce, those steel-hearted men*, that, you say, take on for, and bewail so pitifully, *the lamentable and wonderful death* of I know not who; them, I say, together with their tinkling Advocate, the dullest that ever appeared, *since the Name of a*

King was born and known in the world, we shall e'en let whine on, till they cry their eyes out. But in the mean time, what School-boy, what little insignificant Monk could not have made a more elegant Speech for the King, and in better *Latin* than this Royal Advocate has done? But it would be folly in me to make such particular Animadversions upon his Childishness and Frenzies throughout his Book, as I do here upon a few in the beginning of it ; which yet I would be willing enough to do (for we hear, that he is swollen with Pride and Conceit to the utmost degree imaginable) if the ill-put-together and immethodical bulk of his book did not protect him : He was resolved to take a course like the Soldier in *Terence*, to save his Bacon ; and it was very cunning in him to stuff his Book with so much Childishness, and so many silly whimsies, that it might nauseate the smartest man in the world to death, to take notice of 'em all. Only I thought it might not be amiss to give a specimen of him in the Preface ; and to let the serious Reader have a taste of him at first, that he might guess by the first dish that's serv'd up, how noble an Entertainment the rest are like to make ; and that he may imagine within himself what an infinite number of Fooleries and Impertinencies, must needs be heaped up together in the body of the Book, when they stand so thick in the very Entrance into it, where of all other places they ought to have been shunned. His tittle-tattle that follows, and his Sermons fit for nothing but to be worm-eaten, I can easily pass by ; as for any thing in them relating to us, we doubt not in the least, but that what has been written and published by Authority of Parliament,

will

will have far greater weight with all wise and sober men, than the Calumnies and Lies of one single impudent little Fellow; who being hired by our Fugitives, their Countrey's Enemies, has scrap'd together, and not scrupled to publish in Print, whatever little Story any one of them that employed him, put into his head. And that all men may plainly see how little conscience he makes of setting down any thing right or wrong, good or bad, I desire no other Witness than *Salmasius* himself. In his book, entatuled, *Apparatus contra Primatum Papæ*, he says, ' There are ' most weighty Reasons why the Church ought to ' lay aside Episcopacy, and return to the Apostolical ' Institution of Presbyters: That a far greater mischief has been introduced into the Church by Episcopacy, than the Schisms themselves were, which ' were before apprehended: That the Plague which ' Episcopacy introduced, depressed the whole body ' of the Church under a miserable Tyranny: Nay, ' had put a yoke even upon the necks of Kings and ' Princes: That it would be more beneficial to the ' Church, if the whole Hierarchy it self, were extirpated, than if the Pope only, who is the Head of ' it, were laid aside, *page 160.* ' That it would be ' very much for the good of the Church, if Episcopacy were taken away, together with the Papacy: ' That if Episcopacy were once taken down, the ' Papacy would fall of it self, as being founded upon it, *page 171.* He says he can ' show very good ' reasons why Episcopacy ought to be put down in ' those Kingdoms that have renounced the Pope's Supremacy; but that he can see no reason for retaining it there: That a Reformation is not entire, ' that

' that is defective in this point : That no reason can
 ' be alledged, no probable cause assigned, why
 ' the Supremacy of the Pope being once disowned,
 ' Episcopacy should notwithstanding be retained,
 page 197. Tho he had wrote all this, and a
 great deal more to this effect, but four years ago,
 he is now become so vain and so impudent with-
 al, as to accuse the Parliament of *England*, for
 ' not only turning the Bishops out of the House
 ' of Lords, but for abolishing Episcopacy it self.
 Nay, he persuades us to receive Episcopacy, and
 defends it by the very same Reasons, and Argu-
 ments, which with a great deal of earnestness
 he had confuted himself in that former Book;
 to wit, ' That Bishops were necessary, and ought
 ' to have been retained, to prevent the spring-
 ' ing up of a Thousand pernicious Sects and He-
 resies. Crafty Turn-coat! Are you not ashamed
 to shift hands thus in things that are Sacred,
 and (I had almost said) to betray the Church;
 whose most solemn Institutions you seem to have
 asserted and vindicated with so much noise, that
 when it should seem for your interest to change
 sides, you might undo and subvert all again with
 the more disgrace and infamy to your self. It's
 notoriously known, That when both Houses of
 Parliament, being extremely desirous to Reform
 the Church of *England* by the pattern of other
 Reformed Churches, had resolved to abolish Epis-
 copacy, the King first interposed, and afterwards
 waged War against them chiefly for that very
 cause; which proved fatal to him. Go now and
 boast of you having Defended the King; who,
 that

that you might the better defend him, do now openly betray and impugn the Cause of the Church, whose Defence you your self had formerly undertaken; and whose severest Censures ought to be inflicted upon you. As for the present form of our Government, since such a Foreign insignificant Professor as you, having laid aside your Boxes and Desks, stufft with nothing but Trifles, which you might have spent your time better in putting into order, will needs turn busie-body, and be troublesome in other mens matters, I shall return you this answer, or rather not to you, but to them that are wiser than your self, *viz.* That the Form of it is such as our present distractions will admit of; not such as were to be wish'd, but such as the obstinate Divisions that are amongst us, will bear. What State soever is pestered with Factions, and defends it self by Force of Arms, is very just in having regard to those only that are sound and untainted, and in overlooking or secluding the rest, be they of the Nobility or the common people; nay, though profiting by experience, they should refuse to be governed any longer either by a King or a Houle of Lords. But in railing at that *Supreme Council*, as you call it, and at the *Chair-man* there, you make your self very Ridiculous; for that Council is not the Supreme Council, as you dream it is; but appointed by Authority of Parliament, for a certain time only; and consisting of forty Persons, for the most part Members of Parliament, any one of whom may be President, if the rest Vote him into the Chair. And there

is nothing more common, than for our Parliaments to appoint Committees of their own Members; who, when so appointed, have Power to meet where they please, and hold a kind of a little Parliament amongst themselves. And the most weighty Affairs are often referred to them, for Expedition and Secresie; the care of the Navy, the Army, the Treasury; in short, all things whatsoever, relating either to War or Peace. Whether this be called a Council, or any thing else, the thing is ancient, though the name may be new; and it is such an Institution, as no Government can be duly administered without it. As for our putting the King to death, and changing the Government, forbear your bawling, don't spit your Venom, till going along with you through every Chapter, I show, whether you will or no, by *what Law*. by *what Right* and *Justice*, all that was done. But if you insist to know by *what Right*, by *what Law*; by that Law, I tell you, which God and Nature have enacted, viz. that whatever things are for the Universal Good of the Whole State, are for that reason lawful and just. So wise Men of old used to answer such as you. You find fault with us for *Repealing Laws*, that had obtained for so many years; but you do not tell us, whether those Laws were good or bad, nor if you did, should we heed what you said; for, you busy Puppy, what have you to do with our Laws? I wish our Magistrates had repealed more than they have, both Laws and Lawyers; if they had, they would have consulted

ed the Interest of the Christian Religion, and that of the People better then they have done. It frets you, That *Hob-goblins, Sons of the Earth, scarce Gentlemen at home, scarce known to their own Countrymen,* should presume to do such things. But you ought to have remembered, what not only the Scriptures, but *Horace* would have taught you, viz,——

———*Vales ima summis*

Mutare & insignem attenuat Deus

Obscura promens, &c.

The Power that did create, can change the
Scene

Of things, make mean of great, and great of
mean;

The brightest Glory can Eclipse with Night,
And place the most obscure in dazzling
Light.

But take this into the Bargain: some of those, who you say are scarce Gentlemen, are not at all inferiour in birth to any of your party; others, whose Ancestors were not Noble, have taken a course to attain to true Nobility by their own Industry and Vertue, and are not inferior to men of the Noblest Descent; and had rather be
called

called *Sons of the Earth*, provided it be their own Earth, (their own Native Country) and act like Men at home; then, being destitute of House or Land, to relieve the necessities of Nature in a Foreign Country, by selling of Smoke, as thou dost, an inconsiderable Fellow, and a Jack-Straw, and who dependeth upon the good will of thy Masters for a poor Stipend; for whom it were better to forgo thy travelling, and return to thy own Kindred and Country-men, if thou hadst not this one piece of Cunning, to babble out some silly Prelections and Fooleries at so good a rate amongst Foreigners. You find fault with our Magistrates for admitting such a *Common-Store of all sorts of Sects*; Why should they not? It belongs to the Church to cast them out of the Communion of the faithful; not to the Magistrate to Banish them the Country, provided they do not offend against the Civil Laws of the State. Men at first united into Civil Societies, that they might live safely and enjoy their Liberty, without being wrong'd or oppress'd; that they might live Religiously, and according to the Doctrine of Christianity; they united themselves into Churches. Civil Societies have Laws, and Churches have a Discipline, peculiar to themselves, and far differing from each other. And this has been the occasion of so many Wars in *Christendom*; to wit, because the Civil Magistrate and the Church confounded their Jurisdictions. And therefore we do not admit of the Popish Sect, so as to tolerate Papists at all; for we do not look upon that as a Religion, but rather as an Hierarchical Tyranny, under a Cloak of Religion, cloth'd with the Spoils of the

the Civil Power, which it has usurp'd to it self contrary to our Saviour's own Doctrine. As for the *Independents*, we never had any such amongst us, as you describe; they that we call *Independents* are only such as hold that no Classes or Synods have a Superiority over any particular Church, and that therefore they ought all to be pluckt up by the roots; as Branches, or rather as the very Trunk of Hierarchy it self; which is your own opinion too. And from hence it was that the name of *Independents* prevailed amongst the Vulgar. The rest of your Preface is taken up in endeavouring not only to stir up the hatred of all Kings and Monarchs against us, but to perswade them to make a General War upon us. *Mithridates* of old, though in a different cause, endeavoured to stir up all Princes to make War upon the *Romans*; by laying to their charge almost just the same things, that you do to ours: *viz.* that the *Romans* aim'd at nothing but the Subversion of all Kingdoms, that they had no regard to any thing, whether Sacred or Civil, that from their very first rise they never enjoy'd any thing, but what they had acquired by force, that they were Robbers, and the greatest Enemies in the world to Monarchy. Thus *Mithridates* express'd himself in a Letter to *Arfaces* King of the *Parthians*. But how came you, whose business it is to make silly Speeches from your Desk, to have the Confidence to imagine, that by your persuasions to take up Arms, and *sounding an Alarm* as it were, you should be able so much as to influence a King amongst Boys at play; especially, with so strill a Voice, and unfavoury Breath, that I believe, if
you

you were to have been the Trumpeter, not so much as *Homer's* Mice would have waged War against the Frogs. So little do we fear, you Slug, you, any War or Danger from Foreign Princes, through your silly Rhetorick, who accuse us to them, just as if you were at play, *That we toss Kings heads like Balls; play at Bowls with Crowns; and regard Scepters no more then if they were Fool's Staves with heads on.* But you in the mean time, you silly Legerhead, deserve to have your Bones well-thrash'd with a Fool's staff, for thinking to stir up Kings and Princes to War by such Childish Arguments. Then you cry aloud to all Nations, who, I know full well, will never heed what you say. You call upon that Wretched and Barbarous Crew of *Irish* Rebels too, to assert the King's Party. Which one thing is sufficient evidence how much you are both a Fool, and a Knave, and how you out-do almost all Mankind in Villany, Impudence, and Madnes, who scruple not to implore the Loyalty and Aid of an execrable People, devoted to the Slaughter, whom the King himself always abhorr'd, or so pretended, to have any thing to do with, by reason of the guilt of so much innocent Blood, which they had contracted. And that very perfidiousness and Cruelty, which he endeavour'd as much as he could to conceal, and to clear himself from any suspicion of, you the most villanous of Mortals, as fearing neither God nor Man, voluntarily and openly take upon your self. Go on then, undertake the Kings Defence at the Encouragement, and by the Assistance of the *Irish*.
You

You take care, and so you might well, lest any should imagine that you were about to bereave *Cicero* or *Demosthenes* of the praise due to their Eloquence, by telling us before hand, that *you conceive you ought not to speak like an Orator*. 'Tis wisely said of a Fool; you conceive you ought not to do what is not in your Power to do; and who that knows any thing of you, ever expects any thing like an Orator from you? Who neither uses, nor is able to publish any thing that's Elaborate, Distinct, or has so much as Sense in it; but like a second *Crispin*, or that little Grecian, *Tzetzes*, so you do but write a great deal, take no pains to write well, nor could write any thing well, though you took never so much pains. *This Cause shall be argued (say you) in the bearing, and as it were before the Tribunal of all Mankind*. That's what we like so well, that we could now wish, we had a discreet and intelligent Adversary, and not such a hair-brain'd Blunderbuss as you, to deal with. You conclude very Tragically, like *Ajax* in his Raving. *I will proclaim to Heaven and Earth the Injustice, the Villany, the Perfidiousness and Cruelty of these Men, and will deliver them over convicted to all Posterity*. O Flowers! that such a witless, senseless Bawler, one that was born but to spoil or transcribe good Authors; should think himself able to writ any thing of his own, that will reach Posterity; Whom together with his frivolous Scribes the very next Age will bury in Oblivion; unless this Defence of the King perhaps may be beholden to the Answer I give to it, for being looked into now and then. And
I would

I would entreat the Illustrious States of *Holland* to take off their Prohibition, and suffer the Book to be publickly sold. For when I have detected the Vanity, Ignorance, and Falshood, that it is full of, the farther it spreads, the more effectually it will be suppressed. Now, let us hear how he *Convicts* us.

A D E-

A DEFENCE OF THE People of England.

CHAP. I.

I Persuade my self, *Salmasius*, that you being a vain flashy man, are not a little proud of being the King of *Great Britain's* Defender, who himself was stild the *Defender of the Faith*. For my part, I think you deserve your titles both alike ; for the King defended the Faith, and you have defended him so, that betwixt you, you have spoil'd both your Causes ; which I shall make appear throughout the whole ensuing Discourse, and particularly in this very Chapter. You told us in the 12th. Page of your Preface, that *so good and so just a cause ought not to be embelisht with any flourishes of Rhetorick ; that the King needed no other defence than by a bare Narrative of his Story ;* and yet in your first Chapter, in which you had promised us that bare Narrative, you neither tell the Story aright, nor do you abstain from making use of all the skill you have in Rhetorick to set it off. So that if we must take your own judgment,

B

ment, we must believe the King's Cause to be neither good nor just. But by the way I would advise you not to have so good an opinion of your self (for no body else has so of you) as to imagin that you are able to speak well upon any subject; who can neither play the part of an Orator, nor an Historian, nor express your self in a stile that would not be ridiculous even in a Lawyer; but like a Mountebank's Jugler, with big swelling words in your Preface, you rais'd our expectation, as if some mighty master were to ensue; in which your design was not so much to introduce a true Narrative of the King's Story, as to make your own empty intended flourishes go off the better. For *being now about to give us an account of the matter of fact, you find your self encompassed and affrighted with so many Monsters of Novelty, that y^e are at a loss what to say first, what next, and what last of all.* I'll tell ye what the matter is with you. In the first place you find your self affrighted and astonish'd at your own monstrous Lies, and then you find that empty head of yours not encompass'd, but carried round with so many trifles and fooleries, that you not only now do not, but never did know what was fit to be spoken, and in what method. *Among the many difficulties that you find in expressing the heinousness of so incredible a piece of impiety, this one offers it self, you say, which is easily said, and must often be repeated; to wit, that the Sun it self never beheld a more outrageous action.* But by your good leave, Sir, the Sun has beheld many things, that blind Bernard never saw. But we are content you should mention the Sun over and over. And it will be a piece of Prudence in you so to do. For though our wickedness does not require it, the coldness of the defence that you are making, does. *The original of Kings, you say, is as ancient, as*
that

that of the Sun. May the Gods and Goddesses, *Damassippus*, bless thee with an everlasting Solstice ; that thou maist always be warm, thou that canst not stir a foot without the Sun. Perhaps you would avoid the imputation of being called a Doctor *Umbraticus*. But alas ! you are in perfect darkness, that make no difference betwixt a Paternal power, and a Regal ; and that when you had called Kings Fathers of their Country, could fancy that with that Metaphor you had persuaded us that whatever is applicable to a Father, is so to a King. Alas ! there's a great difference betwixt them. Our Fathers begot us. Our King made not us, but we him. Nature has given Fathers to us all, but we our selves appointed our own King. So that the people is not for the King, but the King for them. *We bear with a Father, though he be harsh and severe* ; and so we do with a King. But we do not bear with a Father, if he be a Tyrant. If a Father murder his Son, himself must die for't, and why should not a King be subject to the same Law, which certainly is a most just one ? Especially considering that a Father cannot by any possibility divest himself of that relation, but a King easily may make himself neither King nor Father of his people. If this action of ours be considered according to *its quality*, as you call it, I, who am both an *English*-man born, and was an eye-witness of the Transactions of these times, tell you, who are both a Foreigner and an utter stranger to our Affairs ; That we have not put to death a *good*, nor a *just*, nor a *merciful*, nor a *devout*, nor a *godly*, nor a *peaceable King*, as you stile him ; but an Enemy, that has been so to us almost ten years to an end ; nor one that was a Father, but a Destroyer of his Country. You confess that *such things have been practis'd* ; for your self have not the impudence to deny it ; *but not*

by *Protestants upon a Protestant King*. As if he deserv'd the name of a Protestant, that in a Letter to the Pope, could give him the title of *Most Holy Father*; that was always more favourable to the Papists, than to those of his own Profession. And being such, he is not the first of his own Family that has been put to death by Protestants. Was not his Grand-mother deposed and banisht, and at last beheaded by Protestants? And were not her own Countrymen, that were Protestants too, well enough pleas'd with it? Nay, if I should say they were parties to it, I should not lie. But there being so few Protestant Kings, it is no great wonder, if it never happened, that one of them has been put to death. But that it is lawful to depose a Tyrant, and to punish him according to his deserts; Nay, that this is the opinion of very eminent Divines, and of such as have been most Instrumental in the late Reformation, do you deny, if you dare. You confess that many Kings have come to an unnatural death: Some *by the Sword*, some *poysen'd*, some *strangled*, and some *in a dungeon*; but for a King to be arraign'd in a Court of Judicature, to be put to plead for his life, to have Sentence of death pronounc'd against him, and that Sentence executed; this you think a more lamentable Instance than all the rest, and make it a prodigious piece of impiety. Tell me, thou superlative Fool, Whether it be not more just, more agreeable to the Rules of Humanity, and the Laws of all Humane Societies, to bring a Criminal, be his Offence what it will, before a Court of Justice, to give him leave to speak for himself; and if the Law condemn him, then to put him to death, as he has deserv'd, so as he may have time to repent, or to recollect himself; than presently, as soon as ever he is taken, to butcher him without more ado? D'ye think there's a Malefactor in the World, that if
he

he might have his choice, would not chuse to be thus dealt withal? and if this sort of proceeding against a private Person be accounted the fairer of the two, why should it not be counted so against a Prince? nay, why should we not think that himself liked it better? You would have had him kill'd privately, and none to have seen it, either that future Ages might have lost the advantage of so good an Example; or that they that did this glorious Action, might seem to have avoided the Light, and to have acted contrary to Law and Justice. You aggravate the matter by telling us, that it was not done in an uproar, or brought about by any Faction amongst Great Men, or in the heat of a Rebellion, either of the People, or the Soldiers: that there was no hatred, no fear, no ambition, no blind precipitate rashness in the Case; but that it was long consulted on, and done with deliberation. You did well in leaving off being an Advocate, and turn Grammarian. That from the Accidents and Circumstances of a thing, which in themselves considered, sway neither one way nor other, argue in dispraise of it, before you have proved the thing it self to be either good or bad. See how open you lie: If the Action you are discouraging of, be commendable and praise-worthy, they that did it deserve the greater Honour, in that they were prepossessed with no Passions, but did what they did for Virtue's sake. If there were great difficulty in the enterprise, they did well in not going about it rashly, but upon Advice and Consideration. Tho for my own part, when I call to mind with how unexpected an importunity and fervency of Mind, and with how unanimous a Consent, the whole Army, and a great part of the People from almost every County in the Kingdom, cried out with

one Voice for Justice against the King, as being the sole Author of all their Calamities: I cannot but think that these things were brought about by a Divine impulse. Whatever the matter was, whether we consider the Magistrates, or the Body of the People, no Men ever undertook with more Courage, and, which our Adversaries themselves confess, in a more sedate temper of Mind, so brave an Action, an Action that might have become those famous Heroes of whom we read in former Ages; an Action, by which they ennobled not only Laws, and their Execution, which seem for the future equally restor'd to high and low against one another; but even Justice it self, and to have rendred it after so signal a Judgment, more illustrious and greater than in its own self. We are now come to an end of the third page of the First Book, and have not the bare Narrative he promis'd us yet. He complains that our Principles are, That a King whose Government is *Burdensom and Odious*, may lawfully be deposed: And by this Doctrine, says he, *if they had had a King a thousand times better than they had, they would not have spared his Life.* Observe the Man's subtle way of arguing. For I would willingly be inform'd what Consequence there is in this, unless he allows, that a King's Government may be *Burdensom and Odious*, who is a thousand times better than our King was. So, that now he has brought things to this pass, to make the King that he defends, a thousand times worse than some whose Government notwithstanding is *Burdensom and Odious*, that is, it may be, the most monstrous Tyrant that ever Reign'd. I wish ye Joy, O ye Kings, of so able a Defender. Now the Narrative begins. *They put him to several sorts of Torments.* Give an instance. *They remov'd him from Prison to Prison;* and so they

they might lawfully do ; for having been a Tyrant, he became an open Enemy, and was taken in War. *Often changing his Keepers.* Lest they themselves should change. *Sometimes they gave him hopes of Liberty, nay, and sometimes even of restoring him to his Crown, upon Articles of Agreement.* It seems then the taking away his Life, was not done upon so much Premeditation, as he talked of before ; and that we did not lay hold on all opportunities and means, that offer'd themselves to renounce our King. Those things that in the beginning of the War we demanded of him, when he had almost brought us under, which things if they were denied us, we could enjoy no Liberty, nor live in any Safety ; those very things we petitioned him for when he was our Prisoner, in an humble, submissive way, not once, nor twice, but thrice, and oftner, and were as often denied. When we had now lost all hopes of the King's complying with us, then was that noble Order of Parliament made, That from that time forward, there should no Articles be sent to the King ; so that we left off applying our selves to him, not from the time that he began to be a Tyrant, but from the time that we found him incurable. But afterward some Parliament-men set upon a new Project, and meeting with a convenient opportunity to put it in practice, pass a Vote to send further Proposals once more to the King. Whose Wickedness and Folly nearest resembles that of the *Roman Senate*, who contrary to the Opinion of *M. Tullius*, and all honest Men, voted to send Embassadors to *M. Anthony* ; and the Event had been the same, but that it pleased God Almighty in his Providence to order it otherwise, and to assert our Liberty, tho he suffer'd them to be enslav'd. For tho the King did not agree to any thing that might con-

duce to a firm Peace, and Settlement of things more than he had before, they go and Vote themselves satisfied. Then the sounder part of the House finding themselves and the Commonwealth betray'd, implore the aid of that Valiant and always Faithful Army to the Commonwealth. Upon which occasion I can observe only this, which yet I am loath to utter; to wit, that our Soldiers understood themselves better than our Senators, and that they saved the Commonwealth by their Arms, when th'other by their Votes had almost ruined it. Then he relates a great many things in a doleful, lamentable Strain; but he does it so senselessly, that he seems rather to beg of his Readers that they would be sorrowful, than to stir up any such Passion in them. It grieves him to think that the King should undergo a Capital Punishment after such a manner as no other King ever had done. Tho he had often told us before, that there never was a King that underwent a Capital Punishment at all. Do you use to compare ways and manners, ye Coxcomb, when you have no Things, nor Actions to compare with one another? He suffer'd Death, says he, as a Robber, as a Murderer, as a Parricide, as a Traytor, as a Tyrant. Is this defending the King? Or is it not rather giving a more severe Sentence against him than that that we gave? How came you so all on a sudden to be of our mind? He complains that Executioners in Vizars [personati Carnifices] cut off the King's Head. What shall we do with this Fellow? He told us before, of a Murder committed on one in the Disguise of a King: [In Personâ Regis.] Now he says, 'twas done in the Disguise of an Executioner. 'Twere to no purpose to take particular Notice of every silly thing he says. He tells Stories of Boxes on the Ear, and Kicks, that, he says, were given the King

King by Common-Soldiers, and that 'twas four Shillings a piece to see his dead Body. These and such like Stories which partly are false, and partly impertinent, betray the Ignorance and Childishness of our poor Scholar; but are far from making any Reader ever a whit the sadder. In good faith, his Son *Charles* had done better to have hired some Ballad-singer to have bewailed his Fathers misfortunes, than this doleful, shall I call him, or rather most ridiculous Orator, who is so dry and insipid; that there's not the least Spirit in any thing he says. Now the Narrative's done, and 'tis hard to say what he does next, he runs on so sordidly and irregular. Now he's angry, then he wonders; he neither cares what he talks, nor how; repeats the same things ten times over, that could not but look ill, tho he had said them but once. And I persuade my self, the extemporary Rimes of some Antick Jack-pudding may deserve Printing better; so far am I from thinking ought he says worthy of a serious Answer. I pass by his stiling the King a *Protector of Religion*, who chose to make War upon the Church, rather than part with those Church-Tyrants, and Enemies of all Religion, the Bishops; and how is it possible that he should *maintain Religion in its Purity*, that was himself a Slave to those impure Traditions, and Ceremonies of theirs? And for our *Sectaries*, whose *Sacrilegious Meetings*, you say, *have publick Allowance*; Instance in any of their Principles, the Profession of which is not openly allow'd of, and countenanced in *Holland*? But in the mean, there's not a more Sacrilegious Wretch in Nature than your self, that always took liberty to speak ill of all sorts of People. *They could not wound the Commonwealth more dangerously than by taking off its Master.* Learn, ye abject, home-born

born Slave; unless ye take away the Master, ye destroy the Commonwealth. That that has a Master, is one Man's propriety. The word Master denotes a private, not a publick Relation. *They persecute most unjustly those Ministers that abhor'd this Action of theirs.* Lest you should not know what Ministers he means, I'll tell ye in a few words what manner of Men they were; they were those very Men, that by their Writings and Sermons justified taking up Arms against the King, and stir'd the People up to it. That daily cursed, as *Deborah* did *Meroz*, all such as would not furnish the Parliament either with Arms, or Men, or Money. That taught the People out of their Pulpits, that they were not about to Fight against a King, but a greater Tyrant than either *Saul* or *Ahab* ever were; nay, more a *Nero* than *Nero* himself. As soon as the Bishops, and those Clergy-men, whom they daily inveighed against, and branded with the odious Names of Pluralists and Non-residents, were taken out of their way, they presently Jump, some into two, some into three of their best Benefices; being now warm themselves, they soon unworthily neglected their Charge. Their Covetousness brake through all restraints of Modesty and Religion, and themselves now labour under the same Infamy, that they had loaded their Predecessors with; and because their Covetousness is not yet satisfied, and their Ambition has accustomed them to raise Tumults, and be Enemies to Peace; they can't rest at quiet yet, but preach up Sedition against the Magistracy, as it is now established, as they had formerly done against the King. They now tell the people that he was cruelly murdered; upon whom themselves having heap'd all their Curses, had devoted him to Destruction, whom they had delivered up as it were to the Parliament to be

be dispos'd of his Royalty, and pursu'd with a Holy War. They now complain that the Sectaries are not extirpated; which is a most absurd thing to expect the Magistrates should be able to do, who never yet were able, do what they could, to extirpate avarice and ambition, those two most pernicious Heresies, and more destructive to the Church than all the rest, out of the very order and tribe of the Ministers themselves. For the Sects which they inveigh against, I confess there are such amongst us, but they are obscure, and make no noise in the world; The Sects that they are of, are publick and notorious, and much more dangerous to the Church of God. *Simon Magus* and *Diotrephes* were the Ring-leaders of 'em. Yet are we so far from persecuting these men, tho' they are pestilent enough, that for all we know them to be ill affected to the Government, and desirous of, and endeavouring to work a change, we allow them but too much Liberty. You, that are both a *French-man* and a *Vagabond*, seem displeas'd that the *English*, more fierce and cruel than their own *Mastiffs*, as your barking Eloquence has it; have no regard to the lawful Successor and Heir of the Crown: Take no care of the King's Youngest Son, nor of the Queen of Bohemia. He make ye no answer; you shall answer your self. When the frame of a Government is changed from a Monarchy to any other, the new Modellers have no regard to succession; the Application is easy; it's in your Book *de primatu Papæ*. The great change throughout Three Kingdoms, you say, was brought about by a small number of men in one of them. If this were true, that small number of men would have deserved to have Dominion over the rest; Valiant men over faint-hearted Cowards. These are they that presumptuously took upon them to change antiquum Regni Regimen, in alium qui à pluribus Tyrannistencatur. 'Tis well

well for them that you cannot find fault with them, without committing a Barbarous Solocism; you shame all *Grammarians*. *The English will never be able to wash out this stain.* Nay you, though a blot and a stain to all Learned men, were never yet able to stain the renown and everlasting Glory of the *English Nation*, that with so great a Resolution, as we hardly find the like recorded in any History, having struggled with, and overcome, not only their Enemies in the Field, but the superstitious Persuasions of the common People, have purchas'd to themselves in general amongst all posterity the name of Deliverers: The Body of the people having undertook and performed an enterprise, which in other Nations is thought to proceed only from a magnanimity that's peculiar to Heroes. What the *Protestants and Primitive Christians* have done, or would do upon such an occasion, I'll tell ye hereafter, when we come to debate the merits of the Cause: In discoursing it before, I should be guilty of your fault, who outdo the most impertinent Talkers in Nature: You wonder how wee'll be able to answer the *Jesuits*. Meddle with your own matters, you Runagate, and be asham'd of your actions, since the Church is asham'd of you; who though but of late, you set your self so fiercely and with so much Ostentation against the Pope's Supremacy and Episcopal Government, are now become your self a very Creature of the Bishops. You confess that *some Protestants whom you do not name, have asserted it lawful to depose a Tyrant*: But though you do not think fit to name them, I will, because you say *they are far worse than the very Jesuits themselves*; they are no other than *Lutber, and Zuinglius, and Calvin, and Bucer, and Pareus, and many others.* But then, you say, *they refer it to the Judgment of Learned and Wise men, who shall be accounted a Tyrant.* But what
for

for men, were these? Were they wise men, were they men of Learning? Were they anywise remarkable, either for Virtue or Nobility! You may well allow a People that has felt the heavy Yoke of Slavery, to be Wise, and Learned, and Noble enough to know what is fit to be done to the Tyrant that has oppress'd them; though they neither consult with *Foreigners* nor *Grammarians*. But that this man was a Tyrant; not only the Parliaments of *England* and *Scotland* have declared by their actions and express words; but almost all the people of both Nations assented to it, till such time as by the tricks and Artifices of the Bishops they were divided into two Factions; and what if it has pleased God to chuse such men, to execute his Vengeance upon the greatest Potentates on Earth, as he chose to be made partakers of the benefit of the Gospel? *Not many Wise, not many Learned, not many Powerful, not many Noble: That by those that are not, he might bring to nought those that are; and that no flesh might glory in his sight.* And who are you that babble to the contrary? Dare you affect the Reputation of a Learned man? I confess you are pretty well vers'd in Phrase-Books, and Lexicons, and Glossaries; Inasmuch that you seem to have spent your time in nothing else. But you do not make appear that you have read any good Authors with so much Judgment as to have benefited by them. Other Copies and various Lectons and words omitted, and corruptions of Texts and the like; these you are full of; but no foot-step of any solid Learning appears in all you have writ: Or do ye think your self a wise man, that quarrel and contend about the meanest Trifles that may be? That being altogether ignorant in Astronomy and Physick, yet are always railing at the Professors of both, whom all men credit in what things belong to their own Sciences, that
would

would be ready to curse them to the Pit of Hell, that should offer to deprive you of the vain Glory of having corrected or supply'd the least word or letter in any Copy you've criticiz'd upon. And yet y're mad to hear your self call'd a *Grammarian*. In a certain trifling Discourse of yours, you call Dr. *Hammond* Knave in plain terms, who was one of this King's Chaplains, and one that he valu'd above all the rest, for no other reason but because he had call'd you a *Grammarian*. And I don't question but you would have been as ready to have thrown the same reproach upon the King himself, if you had heard that he had approv'd his Chaplains Judgment of ye. Take notice now, how much I (who am but one of those many *English*, that you have the impudence to call mad men, and unlearned, and ignoble, and wicked), slight and despise you, (for that the *English* Nation in general should take any notice in publick of such a worm as you are, would be an infinite undervaluing of themselves), who though one should turn you topsie-turvy, and inside out, are but a *Grammarian* : Nay, as if you had made a foolisher wish than *Midas* did, what ever you meddle with, except when you make Solœcisms, is *Grammar* still. VVhosoever therefore he be, though from among the Dregs of that common People that you are so keen upon (for as for those men of Eminency amongst us, whose great Actions evidenced to all men, their Nobility, and Vertue, and Conduct ; I won't disgrace them so much, as to compare you to them, or them to you ;) but whosoever, I say, among the Dregs of that common People has but suck'd in this Principle, That he was not born for his Prince, but for God and his Countrey ; he deserves the reputation of a Learned, and an Honest, and a VVise man more, and is of greater use in the world than your self.

self ; For such a one is Learned without Letters, you have Letters, but no Learning : That understand so many Languages, turn over so many Volumes, and yet are but a sheep when all is done.

C H A P. II.

THE Argument that *Salmasius*, toward the conclusion of his First Chapter, urg'd as irrefragable ; to wit, that it was really so, because all men unanimously agreed in it ; That very Argument, that which, as he appli'd it , there is nothing more false ; I, that am now about to discourse of the Right of Kings, may turn upon himself with a great deal of truth. For, whereas he defines a *King* (if that may be said to be defin'd which he makes infinite) *to be a Person in whom the Supreme Power of the Kingdom resides, who is answerable to God alone, who may do whatsoever pleaseth him, who is bound by no Law* ; I will undertake to demonstrate, not by mine, but by his own Reasons and Authorities, that there never was a Nation or People of any account (for to ransack all the unciviliz'd Parts of the World were to no purpose) that ever allow'd this to be their King's Right, or put such exorbitant Power into his hand, as *that he should not be bound by any Law, that he might do what he would, that he should judge all, but be judged of none* : Nor can I persuade my self, that there ever was any one Person besides *Salmasius*, of so slavish a Spirit, as to assert the outrageous Enormities of Tyrants to be the Rights of Kings. Those amongst us that were the greatest Royalists, always abhorr'd this sordid Opinion : And
Salma-

Salmafus himself, as appears by some other Writings of his, before he was brib'd, was quite of another mind. Infomuch, that what he here gives out, does not look like the Dictates of a free Subject under a free Government, much less in so famous a Commonwealth as that of *Holland*, and the most eminent University there : but seems to have been penn'd by some despicable slave that lay rotting in a Prison, or a Dungeon. If whatever a King has a mind to do, the Right of Kings will bear him out in (which was a Lesson that the bloody Tyrant *Antoninus Caracalla*, though his Step-mother *Julia* preach'd it to him, and endeavour'd to inure him to the practice of it, by making him commit incest with her self, yet could hardly suck in); Then there neither is, nor ever was that King, that deserv'd the name of a Tyrant. They may safely violate all the Laws of God and Man : their very being Kings keeps them innocent. What Crime was ever any of them guilty of ? they did but make use of their own Right upon their own Vassals. No King can commit such horrible Cruelties and Outrages, as will not be within this Right of Kings. So that there's no Pretence left for any Complaints or Expostulations with any of them. And dare you assert, That *this Right of Kings*, as you call it, is grounded upon the Law of Nations, or rather upon that of Nature, you Brute Beast ? for you deserve not the name of a Man, that are so cruel and unjust towards all those of your own kind ; that endeavour as much as in you lies, so to bear down and villify the whole Race of Mankind, that were made after the Image of God, as to assert and maintain that those cruel and unmerciful Taskmasters, that through the superstitious whimsies, or sloth, or treachery of some persons, get into the Chair, are provided and appointed by nature

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her self, that mild and gentle Mother of us all, to be the Governours of those Nations they enslave. By which Pestilent Doctrine of yours, having rendred them more fierce and untractable, you not only enable them to make havock of, and trample under foot their miserable subjects; but endeavour to arm them for that very purpose with the Law of Nature, the Right of Kings, and the very Constitutions of Government; than which nothing can be more impious or ridiculous. By my consent, as *Dionysius* formerly, of a Tyrant became a School-master, so you of a Grammarian, should become a Tyrant; not that you may have that Regal License of doing other people harm, but a fair opportunity of perishing miserably your self: That, as *Tiberius* complain'd, when he had confin'd himself to the Island *Caprea*, you may be reduced into such a condition, as to be sensible that you perish daily. But let us look a little more narrowly into this right of Kings that you talk of. *This was the sense of the Eastern, and of the Western part of the world.*—I shall not answer you with what *Aristotle* and *Cicero*, who are both as credible Authors as any we have, tell us, *viz.* That the people of *Asia* easily submit to slavery, but the *Syrians* and the *Jews* are even born to it from the womb. I confess there are but few, and those men of great wisdom and courage, that are either desirous of Liberty, or capable of using it. The greatest part of the world chuse to live under Masters; but yet they would have them just ones. As for such as are unjust and tyrannical, neither was God ever so much an enemy to Mankind as to enjoin a necessity of submitting to them; nor was there ever any people so destitute of all sense, and sunk into such a depth of despair, and to impose so cruel a Law upon themselves and their posterity. First,

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you

you produce the words of King Solomon in his Ecclesiastes. And we are as willing to appeal to the Scripture as you. As for Solomon's authority, we'll consider that hereafter, when perhaps we shall be better able to understand it. First, let us hear God himself speak, Deut. 17. 14. *When thou art come into the land, which the Lord thy God giveth thee, and shalt say, I will set a King over me, like as the Nations that are round about me.* Which passage I could with all men would scrupulously consider; for hence it appears by the testimony of God himself: First, that all Nations are at liberty to erect what form of Government they will amongst themselves, and to change it when, and into what they will. This God affirms in express terms concerning the Hebrew Nation; and it does not appear but that other Nations are as to this respect in the same condition. Another remark that this place yields us, is, That a Commonwealth is a more perfect form of Government than a Monarchy, and more suitable to the condition of Mankind; and in the opinion of God himself, better for his own people; for himself appointed it; And could hardly be prevail'd withal a great while after, and at their own importunate desire, to let 'em change it into a Monarchy. But to make it appear that he gave 'em their choice to be Govern'd by a single person, or by more, so they were justly Govern'd, in case they should in time to come resolve upon a King, he prescribes Laws for this King of theirs to observe; whereby he was forbidden to multiply to himself Horses and Wives, or to heap up Riches; whence he might easily infer, that no power was put into his hands over others, but according to Law, since even those actions of his life, which related only to himself, were under a Law. He was commanded there-
fore

fore to transcribe with his own hand all the Precepts of the Law, and having writ 'em out, to observe and keep 'em, that his mind might not be lifted up above his Brethren. 'Tis evident from hence, that as well the Prince as the people was bound by the Law of *Moses*. To this purpose *Josephus* writes, a proper and an able Interpreter of the Laws of his own Country, who was admirably well vers'd in the *Jewish* Policy, and infinitely preferable to a thousand obscure ignorant Rabbins: He has it thus in the Fourth Book of his *Antiquities*: "*Ἀριστοταλὴς μὲν ἔνι νόμοισι, &c.* An Aristocracy is the best form of Government; wherefore "do not you endeavour to settle any other; 'tis enough for you that God presides over ye. But if you will "have a King, let him guide himself by the Law of "God, rather than by his own wisdom; and lay a restraint upon him, if he offer at more power than "the state of your affairs will allow of. Thus he expresseth himself upon this place in *Deuteronomy*: Another *Jewish* Author, *Philo Judeus*, who was *Josephus* his Contemporary, a very studious man in the Law of *Moses*, upon which he wrote a large Commentary; when in his Book concerning the Creation of the King, he interprets this Chapter of *Deuteronomy*, he sets a King loose from the Law no otherwise than as an enemy may be said to be so: "They, says "he, that to the prejudice and destruction of the people acquire great power to themselves, deserve not "the name of Kings, but that of Enemies. For their "actions are the same with those of an irreconcilable "enemy. Nay, they, that under a pretence of Government are injurious, are worse than open enemies. We may fence our selves against the latter; "but the malice of the former is so much the more "Pestilent, because it is not always easie to be discovered.

"vered. But when is it discover'd, why should they
 not be dealt with as enemies? The same Author in
 his second Book, *Allegoriar. Legis*, "A King, says he,
 "and a Tyrant are Contraries. And a little after,
 "A King ought not only to command, but obey. All
 this is very true, you'll say, a King ought to observe
 the Laws, as well as any other man. But what if he
 will not? What Law is there to punish him? I an-
 swer, the same Law that there is to punish other men;
 for I find no exceptions; there is no express Law to
 punish the Priests or any other inferior Magistrates,
 who all of 'em, if this opinion of the exemption of
 Kings from the Penalties of the Law would hold,
 may by the same reason claim impunity, what guilt
 soever they contract, because there is no positive Law
 for their punishment; and yet I suppose none of them
 ever challeng'd such a Prerogative; nor would it ever
 be allow'd 'em, if they should. Hitherto we have
 learn'd from the very Text of God's own Law, that
 a King ought to obey the Laws, and not lift himself
 up above his Brethren. Let us now consider whether
 Solomon preach'd up any other Doctrine, *Ch. 8 v. 2. I coun-*
sel thee to keep the King's commandment, and that in regard
of the oath of God. Be not hasty to go out of his sight;
stand not in an evil thing, for he doth whatsoever pleaseth
him. Where the word of a King is, there is power, and
who may say unto him, what dost thou? It is well enough
 known that here the Preacher directs not his Precepts
 to the Sanhedrim, or to a Parliament, but to private
 persons; and such he commands to keep the King's
 commandment, and that in regard of the oath of God. But
 as they swear Allegiance to Kings, do not Kings like-
 wise swear to obey and maintain the Laws of God,
 and those of their own Country? So the Reubenites
 and Gadites promise obedience to Joshua, *Josh. 1. 17.*

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According as we harkned unto Moses in all things, so will we barken unto thee ; only the Lord thy God be with thee, as he was with Moses. Here's an exprefs condition. Hear the Preacher else, *Chap. 9. v. 17. The words of wise men are heard in quiet, more than the cry of him that ruleth among fools.* The next caution that Solomon gives us, is, *Be not hasty to go out of his sight ; stand not in an evil thing ; for he doth whatsoever pleaseth him.* That is, he does what he will to Malefactors, whom the Law authorizeth him to punish, and against whom he may proceed with mercy or severity, as he sees occasion. Here's nothing like Tyranny. Nothing that a good man needs be afraid of. *Where the word of a King is, there is power; and who may say to him, VVhat dost thou ?* And yet we read of one that not only said to a King, *VVhat dost thou ?* but told him, *Thou hast done foolishly.* But Samuel, you may say, was an Extraordinary Person. I answer you with your own words, which follow in the 49th. Page of your Book, *VVhat was there extraordinary, say you, in Saul or in David ?* And so say I, what was there in Samuel extraordinary ? He was a Prophet, you'll say ; so are they that now follow his example ; for they act according to the will of God, either his reveal'd, or his secret will, which your self grant in your 50th. Page. The Preacher therefore in this place prudently adviseth private persons not to contend with Princes ; for it is even dangerous to contend with any man that's either rich or powerful : But what then ? must therefore the Nobility of a Nation, and all the inferior Magistrates, and the whole body of the people not dare to mutter when a King raves and acts like a mad-man ? Must they not oppose a foolish, wicked, outrageous Tyrant, that perhaps seeks the destruction of all good men ? Must they not endeavour to prevent his turn-

ing all Divine and Humane things upside down? must they suffer him to massacre his People, burn their Cities, and commit such Outrages upon them daily; and finally, to have perfect liberty to do what he list without controul?

O de Cappadocis eques catastis !

Thou slavish Knight of Cappadocia.

Whom all free People, if you can have the confidence hereafter to set your foot within a free Countrey, ought to cast out from amongst them, and send to some remote parts of the World, as a Prodigy of dire portent; or to condemn to some perpetual drudgery, as one devoted to slavery; solemnly obliging themselves, if they ever let you go, to undergo a worse slavery under some cruel, silly Tyrant. No man living can either devise himself, or borrow from any other, Expressions so full of Cruelty and Contempt, as may not justly be apply'd to you. But go on. *When the Israelites asked a King of God, they said, they would set up a King that should have the same Rule and Dominion over them, that the Kings of their neighbour Countries exercis'd over their Subjects. But the Kings of the East we know had an unlimited Power: as Virgil testifies,*

—— Regem non sic Ægyptus & ingens

*Lydia, nec Populi Parthorum, & Medus, Hydaspes
Observant.——*

*No Eastern Nation ever did adore
The Majesty of Sovereign Princes more.*

First, What is that to us, what sort of Kings the Israelites desired? especially since God was angry with them,

them, not only for desiring such a King as other Nations had, and not such a King as his own Law describes, but barely for desiring a King? Nor is it credible that they should desire an unjust King, and one that should be out of the reach of all Laws, who could not bear the Government of *Samuel's* Sons, though under the power of Laws, but from their Covetousness sought refuge in a King. And lastly, The Verse that you quote out of *Virgil*, does not prove that the Kings of the *East* had an absolute unlimited Power; for those Bees, that he there speaks of, and who reverence their Kings, he says, more than the *Egyptians* or *Medes* do theirs, by the Authority of the same Poet,

— *magnis agitant sub legibus ævum.*

Live under certain Fundamental Laws.

They do not live under a King then, that's tyed to no Law: But now I'll let you see how little reason you have to think I bear you an ill will. Most people think you are a Knave; but I'll make it appear that you have only put on a Knaves Vizor for the present. In your Introduction to your Discourse of the Pope's Supremacy, you say, that some Divines in the Council of *Trent* made use of the Government, that is said to be amongst Bees, to prove the Pope's Supremacy. This fancy you borrow from them, and urge it here with the same malice that they did there. Now that very same answer that you gave them, whilst you were an honest man, now that you are become a Knave, you shall give your self, and pull off with your own hand that Vizor you've now put on; *The Bees*, say you are a State, and so natural Philosophers call them; they have a King, but a harmless one, he is a Leader, or Captain, rather than a King;
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he never beats, nor pulls, nor kills his subject Bees. No wonder they are so observant of him then : But in good Faith, you had but ill luck to meddle with these Bees ; for though they are Bees of *Trent*, they show you to be a Drone. *Aristotle*, a most exact writer of Politicks, affirms that the *Asiaticque* Monarchy, which yet himself calls Barbarous, was according to Law : Politic. 3. And whereas he reckons up five several sorts of Monarchies, four of those five he makes Governments according to Laws, and with the consent of the People ; and yet he calls them Tyrannical forms of Government, because they lodg so much power in one man's hand. But the Kingdom of the *Lacedaemonians* he says is most properly a Kingdom, because there all power is not in the King. The fifth sort of Monarchy, which he calls *παρασκλησια*, that is, where the King is all in all ; and to which he refers that, that you call the right of Kings, which is a Liberty to do what they list ; he neither tells us when, nor where any such form of Government ever obtain'd. Nor seems he to have mention'd it for any other purpose than to show how unjust, absurd, and tyrannical a Government it is. You say, that when *Samuel* would deter the people from choosing a King, he propounded to them *this right of Kings*. But whence had *Samuel* it ? Had he it from the written Law of God ? That can't be. We have observ'd already, that the Scriptures afford us a quite other Scheme of Sovereignty : Had *Samuel* it then immediately from God himself by Revelation ? That's not likely neither ; for God dislikes it, discommends it, finds fault with it : So that *Samuel* does not expound to the People any right of Kings appointed by God ; but a corrupt and depraved manner of Governing, taken up by the Pride and Ambition of Princes. He tells

tells not the people what their Kings ought to do, but what they would do. He told them the *manner* of their King, as before he told us of the *manner* of the Priests, the Sons of *Eli*; for he useth the same word in both places; (which you in the 33^d Page of your Book, by an Hebrew Solœcism too, call מִשְׁפָּח). That manner of theirs was Wicked, and Odious, and Tyranical: It was no right, but great wrong. The Fathers have commented upon this place too: I'll instance in one, that may stand for a great many; and that's *Sulpitius Severus*, a contemporary and intimate Friend of *St. Jerom*, and in *St. Augustin's* opinion, a man of great Wildom and Learning. He tells us in his sacred History, that *Samuel* in that place acquaints the people with the imperious Rule of Kings, and how they use to Lord it over their Subjects. Certainly it cannot be the right of Kings to domineer and be imperious. But according to *Salust*, that lawful Power and Authority that Kings were entrusted with, for the Preservation of the publick Liberty, and the good of the Common-wealth, quickly degenerated into Pride and Tyranny: And this is the sense of all Orthodox Divines, and of all Lawyers upon that place of *Samuel*: And you might have learn't from *Sichardus*, that most of the *Rabbins* too, were of the same mind; at least, not any one of them ever asserted that the absolute inherent right of Kings is there discoursed of. Your self in your 5th Chapter, Page 106. complain, that *not only Clemens Alexandrinus, but all other Expositors mistake themselves upon this Text*: And you, I'll warrant ye, are the only man that have had the good luck to hit the mark. Now what a piece of folly and impudence is this in you to maintain in opposition to all Orthodox Expositors, that those very actions which God so much condemns, are the right
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of Kings? And to pretend Law for them? Though your self confess, that that right is very often exercis'd in committing Outrages, being injurious, contumelious, and the like. Was any man ever to that degree, *sui juris*, so much his own Master, as that he might lawfully prey upon mankind, bear down all that stood in his way, and turn all things up-side down? Did the *Romans* ever maintain, as you say they did, That any man might do these things *suo jure*, by vertue of some inherent right in himself? *Salust* indeed makes *C. Memmius* a Tribune of the people, in an invective Speech of his, against the pride of the Nobility, and their escaping unpunish'd, howsoever they misbehaved themselves, to use these words, *viz.* "to do whatever one has a mind to, " without fear of Punishment, is to be a King." This Saying you catch'd hold off, thinking it would make for your purpose; but consider it a little better, and you'll find your self deceiv'd. Does he in that place assert the right of Kings? Or does he not blame the common-people, and chide them for their sloth, in suffering their Nobility to Lord it over them, as if they were out of the reach of all Law, and in submitting again to that Kingly Tyranny, which together with their Kings themselves; their Ancestors had lawfully and justly rejected and banish'd from amongst them? If you had consulted *Tully*, you would have understood both *Salust* and *Samuel* better. In his Oration *pro C. Rabirio*, " There is none of us ignorant, says he, of the manner of Kings. These are their " Lordly dictates. Mind what I say, and do accordingly. Many passages to this purpose he quotes out of Poets, and calls them not the right, but the custom or the manner of Kings; and he says, We ought to read and consider them, not only for curiosity sake, but that

that we may learn to beware of 'em and avoid 'em. You perceive how miserably you're come off with *Salust*, who though he be as much an enemy to Tyranny, as any other Author whatsoever, you thought would have Patroniz'd this Tyrannical right that you are establishing. Take my word for't, the right of Kings seems to be tottering, and even to further its own ruin, by relying upon such weak props for its support; and by endeavouring to maintain it self by such Examples and Authorities, as would hasten its down-fall, if it were further off than it is. *The extremity of right or law, you say, is the height of injury, Summam jus summa injuria; this saying is verified most properly in Kings, who when they go to the utmost of their right, fall into those courses, in which Samuel makes the Right of Kings to consist.* And 'tis a miserable Right, which when you have said all you can for, you can no otherwise defend, than by confessing, that it is the greatest injury that may be. The extremity of Right or Law is said to be, when a man ties himself up to Niceties, dwells upon Letters and Syllables, and in the mean time neglects the intent and equity of the Law; or when a written Law is cunningly and maliciously interpreted; this *Cicero* makes to have been the rise of that common saying. But since 'tis certain that all right flows from the fountain of Justice, so that nothing can possibly be any man's right that is not just, 'tis a most wicked thing in you to affirm, that for a King to be unjust, rapacious, tyrannical, and as ill as the worst of 'em ever were, is according to the right of Kings, and to tell us that a Holy Prophet would have persuaded the people to such a senseless thing. For whether written or unwritten, whether extreme or remiss, what Right can any Man have to be injurious? Which lest you should confess to be true of

of other Men, but not of Kings; I have one Man's Authority to oppose you with, who I think was a King himself, and professeth that that Right of Kings that you speak of, is odious both to God and himself: It is in the 94th Psalm, *Shall the throne of iniquity have fellowship with thee, that frameth mischief by a law?* Be not therefore so injurious to God, as to ascribe this Doctrine to him, viz. that all manner of wicked and flagitious Actions are but the Right of Kings; since himself tells us, that he abhors all fellowship with wicked Princes for this very reason, Because under pretence of Sovereignty they create Misery and Vexation to their Subjects. Neither bring up a false Accusation against a Prophet of God; for by making him to teach us in this place what the Right of Kings is, you do not produce the right *Samuel*, but such another empty Shadow, as was raised by the Witch of *Endor*. Tho for my own part, I verily believe that that infernal *Samuel* would not have been so great a Lyar, but that he would have confess'd, that what you call the Right of Kings, is Tyranny. We read indeed of Impieties countenanced by Law, *Jus datum sceleri*: you your self confess, that they are bad Kings that have made use of this boundless License of theirs to do every thing. Now this Right that you have introduc'd for the Destruction of Mankind, not proceeding from God, as I have prov'd it does not, must needs come from the Devil; and that it does really so, will appear more clearly hereafter. By virtue of this Liberty, say you, *Princes may if they will*. And for this, you pretend to have *Cicero's* Authority. I'm always willing to mention your Authorities, for it generally happens that the very Authors you quote them out of, give you an Answer themselves. Hear else what *Ci-*

zero says in his 4th *Phillippicke*, 'What cause of War
 'can be more just and warrantable than to avoid Sla-
 'very? For tho a People may have the good fortune
 'to live under a Gentle Master, yet they are in a mi-
 'serable Condition, whose Prince may Tyrannize
 'over them if he will. May, that is, can; has
 Power enough so to do. If he meant it of his Right,
 he would contradict himself, and make that an unjust
 Cause of War, which himself had affirm'd with the
 same Breath to be a most just one. It is not there-
 fore the Right of all Kings that you describe, but
 the Injuriousness, and Force, and Violence of some.
 Then you tell us what private men may do. *A private*
Man, say you. *may Lie, may be Ungrateful*, and so
 may Kings, but what then? May they therefore
 Plunder, Murder, Ravish without controul? 'Tis
 equally prejudicial and destructive to the Common-
 wealth, whether it be their own Prince, or a Rob-
 ber, or a Foreign Enemy that Spoils, Massacres, and
 Enslaves them. And questionless, being both alike
 Enemies of Humane Society, the one as well as the
 other may lawfully be oppos'd and punish'd; and
 their own Prince the rather, because he, tho raised
 to that Dignity by the Honours that his People have
 conferr'd upon him; and being bound by his Oath
 to defend the Publick Safety, betrays it notwith-
 standing all. At last you grant, *That Moses prescribes*
Laws, according to which the King that the People of Is-
rael should chuse, ought to Govern, tho different from this
Right that Samuel proposeth; which words contain a
 double Contradiction to what you have said before.
 For whereas you had affirm'd, That a King was
 bound by no Law, here you confess he is. And you
 set up two contrary Rights, one described by *Moses*,
 and another by *Samuel*, which is absurd. *But*, says the
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the Prophet, *you shall be Servants to your King.* Tho I should grant that the *Israelites* were really so, it would not presently follow, that it was the Right of their Kings to have them so; but that by the Usurpation and Injustice of most of them, they were reduc'd to that Condition. For the Prophet had foretold them, that that importunate Petition of theirs would bring a Punishment from God upon them; not because it would be their King's Right so to harraass them, but because they themselves had deserved it should be so. If Kings are out of the reach of the Law, so as that they may do what they list, they are more absolute than any Masters, and their Subjects in a more despicable Condition than the worst of Slaves. The Law of God provided some Redress for them, tho of another Nation, if their Masters were Cruel and Unreasonable towards them. And can we imagine that the whole Body of the People of a free Nation, tho oppress'd and tyranniz'd over, and prey'd upon, should be left remediless? That they had no Law to protect them, no Sancturay to betake themselves to? Can we think that they were deliver'd from the Bondage that they were under to the *Egyptian Kings*, to be reduced into a worse, to one of their own Brethren? All which being neither agreeable to the Law of God, nor to common Sense, nothing can be more evident than that the Prophet declares to the People the *Manner*, and not the Right of Kings; nor the *Manner* of all Kings, but of most. Then you come to the *Rabbins*, and quote two of them, but you have as bad luck with them here, as you had before. For it is plain, that that other Chapter that *Rabbi Joses* speaks of, and which concerns, he says, the Right of Kings, is that in *Deuteronomy*, and not in *Samuel*. For *Rabbi Judas* says ve-

ry truly, and against you, that that Discourse of *Samuel's* was intended only to frighten the People. 'Tis a most pernicious Doctrine to maintain, that to be any ones Right, which in its self is flat Injustice, unless you have a mind to speak by contraries. And that *Samuel* intended to affrighten them, appears by the 18th Verse, *And ye shall cry out in that day because of your king, which ye shall have chosen you, and I will not bear you in that day, saith the Lord.* That was to be their Punishment for their Obstinacy in persisting to desire a King against the Mind and Will of God, and yet they are not forbidden here either to pray against him, or to endeavour to rid themselves of him. For if they might lawfully pray to God against him, without doubt they might use all lawful means for their own Deliverance. For what Man living, when he finds himself in any Calamity, betakes himself to God, so as to neglect his own Duty in order to a Redress, and rely upon his lazy Prayers only? But be it how it will, what is all this to the Right of Kings, or of the *English* People? Who neither asked a King against the Will of God, nor had one appointed us by God, but by the Right that all Nations have to appoint their own Governors, appointed a King over us by Laws of our own, neither in Obedience to, nor against any Command of God? And this being the Case, for ought I see, we have done well in deposing our King, and are to be commended for it, since the *Israelites* sinned in asking one. And this the Event has made appear, for we, when we had a King, prayed to God against him, and he heard us, and delivered us. But the *Jews*, who not being under a Kingly Government, desired a King, he suffered to live in Slavery under one, till at last, after their return from the *Babylonish* Captivity,

ty, they betook themselves to their former Government again. Then you come to give us a display of your Talmudical Learning, but you have as ill success with that, as you have had with all the rest. For whilst you are endeavouring to prove that Kings are not liable to any Temporal Judicature, you quote an Authority out of the Treatise of the *Sanhedrim*, *That the King neither is judged of others, nor does himself judge any.* Which is against the Peoples own Petition in *Samuel*; for they desired a King that might judge them. You labour in vain to save this, by telling us, that it is to be understood of those Kings that reigned after the *Babylonish* Captivity. For then, what say ye to *Maimonides*? He makes *this* difference, *betwixt the Kings of Israel, and those of Juda; that the Kings of the Posterity of David judge, and are judged; but the Kings of Israel do neither.* You contradict and quarrel with your self, or your *Rabbins*, and still do my work for me. *This*, say you, *is not to be understood of the Kings of Israel in their first Institution*; for in the 17th Verse 'tis said, *You shall be his Servants*, that is, he shall use ye to it, not that he shall have any Right to make you so. Or if you understand it of their Kings Right, 'tis but a Judgment of God upon them for asking a King; the effects of which they were sensible of under most of their Kings, tho not perhaps under all. But you need no Antagonists, you are such a perpetual Adversary to your self. For you tell us now a Story, as if you were a going on my side, how that first *Aristobulus*, and after him *Junæus*, Sirnamed *Alexander*, did not receive that Kingly right that they pretended to, from the *Sanhedrim*, that great Treasury and Oracle of the Laws of that Nation, but usurped it by degrees against the Will of the Senate. For whose sake,
you

You say, that *Childish Fable* of the principal Men of that Assembly, *being struck dead by the Angel Gabriel*, was first invented: And thus you confess that this magnificent Prerogative, upon which you seem mainly to rely, *viz. That Kings are not to be judged by any upon Earth*, was grounded upon this worse than an old Wives Tale, that is, upon a Rabbinical Fable. But that the *Hebrew Kings* were liable to be call'd in Question for their Actions, and to be punished with stripes, if they were found faulty, *Sicardus* shows at large out of the Writings of the *Rabbins*, to which Author you are indebted for all that you make use of, of that sort of Learning, and yet you have the Impudence to be thwarting with him. Nay, we read in the Scripture that *Saul* thought himself bound by a Decree of his own making; and in Obedience thereunto, that he cast Lots with his Son *Jonathan* which of them two should die. *Uzzias* likewise, when he was thrust out of the Temple by the Priests as a Leper, submitted as every private Person in such a Case ought to do, and ceas'd to be a King. Suppose he should have refused to go out of the Temple, and lay down the Government, and live alone, and had resolved to assert that Kingly Right of not being subject to any Law; do you think the Priests, and the People of the *Jews* would have suffered the Temple to be defiled; the Laws violated, and live themselves in danger of the Infection? It seems there are Laws against a leprous King, but none against a Tyrant. Can any Man possibly be so mad and foolish as to fancy that the Laws should so far provide for the Peoples Health, as tho some noisome Distemper should seize upon the King himself, yet to prevent the Infection's reaching them; and make no Provision for the Security of their Lives and Estates, and the very being of the whole State

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against

against the Tyranny of a cruel, unjust Prince, which is incomparably the greater mischief of the two? But, say you, *there can be no president shewn of any one King, that has been arraigned in a Court of Justice, and condemn'd to dye.* *Sichardus* answers that well enough. 'Tis all one, says he, as if one should argue on this manner. The Emperor of *Germany* never was summoned to appear before one of the Prince-Electors; therefore if the Prince Elector *Palatine* should Impeach the Emperor, he were not bound to plead to it; tho it appears by the Golden Bull, that *Charles* the Fourth subjected himself and his Successors to that cognizance and Jurisdiction. But no wonder if Kings were indulged in their Ambition, and their Exorbitances passed by, when the times were so corrupt and depraved, that even private Men, if they had either Money or Interest, might escape the Law, tho guilty of Crimes of never so high a Nature. That *Arundelburor*, that you speak of, that is, to be wholly independent upon any other, and accountable to none upon Earth, which you say is peculiar to the Majesty of Sovereign Princes, *Aristotle* in the 4th. Book of his *Pol. Ch.* 10. calls a most Tyrannical Form of Government, and not in the least to be endured by a free People. And that Kings are not liable to be question'd for their Actions, you prove by the Testimony of a very Worthy Author, that Barbarous Tyrant, *Mark Antony*, one of those that subverted the Commonwealth of *Rome*: And yet he himself, when he undertook an Expedition against the *Parthians*, summon'd *Herod* before him, to answer to a Charge of Murder, and would have punished him, but that *Herod* brib'd him. So that *Anthony's* asserting this Prerogative Royal, and your *Defence of King Charles*, come both out of one and the same Spring.

Spring. And 'tis very reasonable, say you, that it should be so; for Kings derive their Authority from God alone. What Kings are those, I pray, that do so? For I deny that there ever were any such Kings in the World, that derived their Authority from God alone. *Saul* the first King of *Israel* had never reign'd; but that the People desired a King, even against the Will of God; and tho he was proclaimed King once at *Mizpah*, yet after that, he lived a private Life, and look'd to his Fathers Cattel, till he was created so the second time by the People at *Gilgal*. And what think ye of *David*? Tho he had been anointed once by God, was he not anointed the second time in *Hebron* by the Tribe of *Judah*, and after that by all the People of *Israel*, and that after a mutual Covenant betwixt him and them? *2 Sam. 5. 1 Chron. 11.* Now a Covenant lays an Obligation upon Kings, and restrains them within Bounds. *Solomon*, you say, succeeded him in the throne of the Lord, and was acceptable to all men: *1 Chron. 29.* So, that 'tis something to be well-pleasing in the Eyes of the People. *Jehoiadab* the Priest made *Joash* King, but first he made him and the People enter into a Covenant to one another, *2 Kings 11.* I confess that these Kings, and all that reign'd of *David's* Posterity, were appointed to the Kingdom both by God and the People; but of all other Kings of what Country soever, I affirm, that they are made so by the People only; nor can you make it appear, that they are appointed by God any otherwise than as all other things, great and small, are said to be appointed by him, because nothing comes to pass without his Providence. So that I allow the Throne of *David* was in a peculiar manner call'd, *The throne of the Lord*; whereas the Thrones of other Princes are

no otherwise God's, than all other things in the World are his; which if you would, you might have learnt out of the same Chapter, Ver. 11, 12. *Thine, O Lord, is the greatness, &c. for all that is in the Heaven, and in the Earth is thine. Both riches and honour come of thee, and thou reignest over all.* And this is so often repeated, not to puff up Kings, but to put them in mind, tho they think themselves Gods, that yet there is a God above them, to whom they owe whatever they are and have. And thus we easily understand what the Poets, and the *Essenes* among the *Jews* mean, when they tell us, That 'tis by God that Kings reign, and that they are of *Jupiter*; for so all of us are of God, we are all his Off-spring. So that this universal Right of Almighty God's, and the Interest that he has in Princes, and their Thrones, and all that belongs to them, does not at all derogate from the Peoples Right; but that notwithstanding all this, *all other Kings*, not particularly and by name appointed by God, owe their Sovereignty to the People only, and consequently are accountable to them for the management of it. The truth of which Doctrine, tho the Common People are apt to flatter their Kings, yet they themselves acknowledge, whether good ones, as *Sarpedon* in *Homer* is described to have been, or bad ones, as those Tyrants in *Horace*.

Γλαῦκε, τίν' δὴ νῶϊ τετιμήμεθα μάλιχα, &c.

Glaucus, in Lycia we're ador'd like Gods:
What makes 'twixt us and others so great odds?

He resolves the Question himself: 'Because, says he, 'we excel others in Heroical Virtues: Let us fight man-

manfully then, says he, left our Country-men tax us with Sloth and Cowardize. In which words he intimates to us, both that Kings derive their Grandeur from the People, and that for their Conduct and Behaviour in War, they are accountable to them. Bad Kings indeed, tho to cast some Terror into Peoples minds, and beget a Reverence of themselves, they declare to the World, that God only is the Author of Kingly Government; in their Hearts and Minds they reverence no other Deity but that of Fortune; according to that passage in *Horace*,

‘ *Te Dacus asper, te profugi Scythæ,
Regumque matres barbarorum, &
Purpurei metuunt Tyranni.*

• ‘ *Injurioso ne pede prorsus
Stantem columnam, non populus frequens
Ad arma cessantes, ad arma
Concitet, imperiumque frangat.*

‘ All barb’rous People, and their Princes too,
‘ All Purple Tyrants honour you;
‘ The very wandering *Scythians* do.

‘ Support the Pillar of the *Roman State*,
‘ Left all Men be involv’d in one Mans fate.
‘ Continue us in Wealth and Peace;
‘ Let Wars and Tumults ever cease.

So that if ’tis by God that Kings now adays Reign,
’tis by God too that the People assert their own Liberty; since all things are of him, and by him. I’m sure the Scripture bears witness to both; that by him Kings reign, and that by him they are cast down

from their Thrones. And yet experience teacheth us, that both these things are brought about by the People, oftner than by God. Be this Right of Kings therefore what it will, the Right of the People is as much of God as it. And when ever any People without some visible Designation of God himself, appoint a King over them, they have the same Right to put him down, that they had to set him up at first. And certainly 'tis a more God-like Action to depose a Tyrant, than to set up one: And there appears much more of God in the People, when they depose an unjust Prince, than in a King that oppresseth an Innocent People. Nay, the People have a Warrant from God to judge wicked Princes; for God has conferr'd this very honour upon those that are dear to him, that celebrating the praises of Christ their own King; 'they shall bind in Chains the Kings of the Nations, (under which Appellation all Tyrants under the Gospel are included) 'and execute the 'Judgments written upon them that challenge to 'themselves an Exemption from all written Laws, *Psalms* 149. So that there's but little reason left for that wicked and foolish Opinion, that Kings who commonly are the worst of Men, should be so high in Gods account, as that he should have put the World under them, to be at their beck, and be govern'd according to their humour; and that for their sakes alone he should have reduced all Mankind, whom he made after his own Image, into the same condition with Brutes. After all this, rather than say nothing, you produce *M. Aurelius*, as a countenancer of Tyranny; but you had better have let him alone. I can't say whether he ever affirm'd that Princes are accountable only before God's Tribunal. But *Xiphilem* indeed, out of whom you quote those words of *M. Aurelius*, mentions

tions a certain Government, which he calls an *Autarchy*, of which he makes God the only Judge: *αὐταρχία ἡ Θεὸς μόνον κείνῳ Δυνάστη*. But that this word *Autarchy* and *Monarchy* are Synonymous, I cannot easily persuade my self to believe. And the more I read what goes before, the less I find my self inclinable to think so. And certainly whoever considers the Context, will not easily apprehend what coherence this sentence has with it, and must needs wonder how it comes so abruptly into the Text; especially since *Marcus Aurelius*, that Mirrour of Princes, carried himself towards the people, as *Capitolinus* tells us, just as if *Rome* had been a Commonwealth still. And we all know that when it was so, the Supreme Power was in the People. The same Emperour honoured the memory of *Thraseas*, and *Helvidius*, and *Cato*, and *Dio*, and *Brutus*; who all were Tyrant-slayers, or affected the reputation of being thought so. In the first Book that he writes of his own Life, he says that he propos'd to himself a form of Government, under which all men might equally enjoy the benefit of the Law, and Right and Justice be equally administred to all. And in his fourth Book he says, The Law is Master, and not he. He acknowledged the right of the Senate and the people, and their Interest in all things: We are so far, says he, from having any thing of our own, that we live in your Houses. These things *Xiphiline* relates of him. So little did he arrogate ought to himself by vertue of his *Sovereign Right*. When he died, he recommended his Son to the *Romans* for his Successor, if they should think he deserv'd it. So far was he from pretending to a Commission from Heaven to exercise that absolute and imaginary right of Sovereignty, that *Autarchy*, that you tell us of. *All the Latin and Greek*

Books are full of Authorities of this nature. But we have heard none of 'em yet. So are the Jewish Authors. And yet, you say, *The Jews in many things allow'd but too little to their Princes.* Nay, you'll find that both the Greeks and the Latins allow'd much less to Tyrants. And how little the Jews allow'd them, would appear, if that Book that Samuel wrote of the manner of the Kingdom were extant; which Book the Hebrew Doctors tell us their Kings, tore in pieces and burnt, that they might be more at liberty to Tyrannize over the people without controul or fear of punishment. Now look about ye again, and catch hold of somewhat or other. In the last place you come to wrest David's words in the 17th. Psalm, *Let my sentence come forth from thy presence.* Therefore, says Barnachmoni, *God only can judge the King.* And yet it's most likely that David pen'd this Psalm when he was persecuted by Saul, at which time, though himself were Anointed, he did not decline being judged even by Jonathan: *Notwithstanding, if there be iniquity in me, slay me thy self,* 1 Sam. 20. At least in this Psalm he does no more than what any person in the world would do upon the like occasion; being falsely accus'd by men, he appeals to the judgment of God himself, *Let thine eyes look upon the thing that is right; thou hast proved and visited mine heart, &c.* What relation has this to a Temporal Judicature? Certainly, they do no good office to this right of Kings, that thus discover the weakness of its foundation. Then you come with that threadbare argument, which of all others is most in vogue with our Courtiers, *Against thee, thee only have I sinned,* Psal. 51. 6. As if David in the midst of his Repentance, when overwhelm'd with sorrow, and almost drown'd in tears, he was humbly imploring God's mercy, had any thoughts of this Kingly right of his, serv'd

when his heart was so low, that he thought he deserv'd not the right of a slave. And can we think that he despis'd all the people of God, his own Brethren, to that degree, as to believe that he might murder 'em, plunder 'em, and commit Adultery with their wives, and yet not sin against them all this while? So holy a man could never be guilty of such insufferable pride, nor have so little knowledg either of himself, or of his duty to his Neighbour. So without doubt, when he says, *Against thee only*, he means, against thee chiefly have I sinned, &c. But whatever he meant, the words of a Psalm are too full of Poetry, and this Psalm too full of Passion, to afford us any exact definitions of Right and Justice; nor is it proper to argue any thing of that nature from 'em. *But David was never question'd for this, nor made to plead for his life before the Sanhedrim.* What then? How should they know that any such thing had been, which was done so privately, that perhaps for some years after not above one or two were privy to it, as such secrets there are in most Courts? 2 Sam. 12. *Thou hast done this thing in secret.* Besides, what if the Senate should neglect to punish private persons? would any infer that therefore they ought not to be punish'd at all? But the reason why David was not proceeded against as a malefactor, is not much in the dark: He had condemn'd himself in the 5th. verse, *The man that hath done this thing shall surely die.* To which the Prophet presently replies, *Thou art the man.* So that in the Prophet's judgment as well as his own, he was worthy of death; but God by his Sovereign Right over all things, and of his great mercy to David, absolves him from the guilt of his Sin, and the sentence of death which he had pronounc'd against himself; verse 13th. *The Lord hath put away thy*

thy sin, thou shalt not die. The next thing you do is to rail at some bloody Advocate or other, and you take a deal of pains to refute the conclusion of his Discourse. Let him look to that. I'll endeavour to be as short as I can in what I've undertaken to go through with. But some things I must not pass by without taking notice of; as first and formost your notorious contradictions; for in the 30th. Page you say, *The Israelites do not deprecate an unjust, rapacious, Tyrannical King, one as bad as the worst of Kings are.* And yet, page 42. you are very smart upon your Advocate, for maintaining that the *Israelites* asked for a Tyrant: *Would they have leaped out of the Frying-pan into the fire,* say you, *and groan under the cruelty of the worst of Tyrants, rather than live under bad Judges, especially being us'd to such a form of Government?* First you said the *Hebrews* would rather live under Tyrants than Judges, here you say they would rather live under Judges than Tyrants; and that *they desir'd nothing less than a Tyrant.* So that your Advocate may answer you out of your own Book. For according to your Principles 'tis every King's right to be a Tyrant. What you say next, is very true, *The Supreme Power was then in the people, which appears by their own rejecting their Judges, and making choice of a Kingly Government.* Remember this when I shall have occasion to make use of it. You say that God gave the children of Israel a King as a thing good and profitable for them, and deny that he gave them one in his anger as a punishment for their sin. But that will receive an easy answer; for to what purpose should they cry to God because of the King that they had chosen, if it were not because a Kingly Government is an evil thing; not in it self, but because it most commonly does, as *Samuel* forewarns the people that theirs would, degenerate into Pride and Tyranny

ranny ; if y'are not yet satisfied, hark what you say your self ; acknowledg your own hand, and blush ; 'tis your *Apparatus ad Primum* : God gave them a King in his anger, say you, being offended at their sin in rejecting him from ruling over them ; and so the Christian Church , as a punishment for it's forsaking the pure Worship of God has been subjected to the more than Kingly Government of one mortal head. So that if your own comparison holds, either God gave the Children of Israel a King as an evil thing, and as a punishment ; or he has set up the Pope for the good of the Church. Was there ever any thing more and light mad than this man is ? Who would trust him in the smallest matters, that in things of so great concern says and unsays without any consideration in the world ? You tell us in your 29th. Page, *That by the constitution of all Nations, Kings are bound by no Law.* That this had been the judgment both of the Eastern and Western part of the World. And yet pag. 43. you say, *That all the Kings of the East ruled *κατὰ νόμον*, according to Law, nay that the very Kings of Egypt in all matters whatsoever, whether great or small, were tied to Laws.* Though in the beginning of this Chapter you had undertook to demonstrate that Kings are bound by no Laws, that they give Laws to others, but have none prescribed to themselves. For my part I've no reason to be angry with ye, for either y'are mad, or of our side. You do not defend the King's cause, but argue against him, and play the fool with him : Or if y'are in earnest, that Epigram of Catullus :

Tanto pessimus omnium Poeta,

Quanto tu optimus omnium Patronus,

The worst of Poets, I my self declare,

By how much you the best of Patrons are.

That Epigram, I say, may be turn'd, and very properly applied to you ; for there never was so good a Poet,

Poet, as you are a bad Patron. Unless *that stupidity*, that you complain your Advocate is *immers'd over head and ears in*, has blinded the eyes of your own understanding too, I'll make ye now sensible that y^e are *become a very brute* your self. For now you come and confess that *the Kings of all Nations have Laws prescribed to them*. But then you say again, *They are not so under the power of them, as to be liable to censure or punishment of death, if they break them*. Which yet you have proved neither from Scripture, nor from any good Authour. Observe then in short; to prescribe Municipal Laws to such as are not bound by them, is silly and ridiculous; and to punish all others, but leave some one man at liberty to commit all sort of Impieties without fear of punishment, is most unjust; the Law being general, and not making any exception; neither of which can be suppos'd to hold place in the Constitutions of any wise Law-maker, much less in those of God's own making. But that all may perceive how unable you are to prove out of the writings of the *Jews*, what you undertook in this Chapter to make appear by 'em, you confess of your own accord, That *there are some Rabbins, who affirm that their forefathers ought not to have had any other King than God himself; and that he set other Kings over them for their punishment*. And of those men's opinion, I declare my self to be. It is not fitting nor decent that any man should be a King that does not far excel all his Subjects. But where men are Equals, as in all Governments very many are, they ought to have an equal interest in the Government, and hold it by turns. But that all Men should be Slaves to one that is their Equal, or (as it happens most commonly) far inferior to 'em, and very often a Fool, who can so much as entertain such a thought without Indignation? Nor does it *make for the Honour*

Honour of a Kingly Government, that our Saviour was of the posterity of some Kings, more than it does for the commendation of the worst of Kings, that he was the Offspring of some of them too. The Messiah is a King. We acknowledg him so to be, and rejoyce that he is so, pray that his Kingdom may come, for he is worthy. Nor is there any other either equal or next to him. And yet a Kingly Government being put into the hands of unworthy and undeserving persons, as most commonly it is, may well be thought to have done more harm than good to Mankind. Nor does it follow for all this that all Kings as such, are Tyrants. But suppose it did, as for argument sake, I'll allow it does, least you should think I'm too hard with ye. Make you the best use of it you can. Then, say you, God himself may properly be said to be the King of Tyrants, nay, himself the worst of all Tyrants. If the first of these conclusions does not follow, another does, which may be drawn from most parts of your Book : viz. That you perpetually contradict, not only the Scriptures, but your own self. For in the very last fore-going Period you had affirmed that God was the King of all things, having himself created them. Now he created Tyrants and Devils, and consequently by your own reason, is the King of such. The 2^d of these Conclusions we detest, and with that blasphemous Mouth of yours were stopt up, with which you affirm God to be the worst of Tyrants, If he be, as you often say he is, the King and Lord of such. Nor do you much advantage your Cause by telling us that Moses was a King, and had the absolute and supreme power of a King. For we could be content that any other were so, that could refer our matters to God, as Moses did, and consult with him about our affairs, Exod. 18. v. 19. But neither did Moses, notwithstanding his

his great familiarity with God, ever assume a Liberty of doing what he would himself. What says he of himself? *The people come unto me to enquire of God.* They came not then to receive Moses his own Dictates and Commands, Then says Jethro, ver. 19. *Be thou for the people to God-ward, that thou mayst bring their causes unto God.* And Moses himself says, Deut. 4. v 5. *I have taught you statutes and judgments, even as the Lord my God commanded me.* Hence it is that he is said to have been faithful in all the house of God. Numb. 12 v. 7. So that the Lord Jehovah himself was the people's King, and Moses no other than as it were an Interpreter or a Messenger betwixt him and them. Nor can you without Impiety and Sacriledg, transfer this absolute supream Power and Authority from God to a man; (not having any Warrant from the word of God so to do) which Moses used only as a Deputy or Substitute to God; under whose Eye, and in whose presence, himself and the people always were. But now, for an aggravation of your wickedness, though here you make Moses to have exercis'd an absolute and unlimited Power, in your *apparatus ad primat.* Page 230. You say that *he together with the seventy elders ruled the people, and that himself was the chief of the people, but not their Master.* If Moses therefore were a King, as certainly he was, and the best of Kings, and had a *Supream and Legal Power*, as you say he had, and yet neither was the people's Master nor Govern'd them alone; then according to you, Kings, though indued with the Supream Power, are not by Vertue of that Sovereign and Kingly Right of theirs Lords over the people, nor ought to Govern them alone; much less, according to their own Will and Pleasure? After all this, you have the Impudence to feign a command from God to that people, to set up a King,

King over them, as soon as they should be possessed of the holy land, Deut. 17. For you craftily leave out the former words, and shalt say, *I will set a King over me, &c.* And now call to mind what you said before, Page 42d. and what I said, I should have occasion to make use of: viz. *That the power was then in the people, and that they were entirely free.* What follows, argues you either Mad or irreligious; take whether you list: God, say you, having so long before appointed a Kingly Government, as best and most proper for that people; what shall we say to Samuel's opposing it, and God's own acting, as if himself were against it? How do these things agree? He finds himself caught, and observe now with how great malice against the Prophet, and impiety against God, he endeavours to disentangle himself. *We must consider,* says he *That Samuel's own Sons then Judged the people, and the people rejected them because of their corruption; now Samuel was to his Sons should be lay'd aside, and God to gratify the Prophet, intimated to him, as if himself were not very well pleased with it.* Speak out ye wretch, and never mince the matter: You mean, God dealt deceitfully with Samuel, and he with the people. It is not your Advocate, but your self that are *Frantick and Distracted*; who cast off all reverence to God Almighty, so you may but seem to Honour the King. Would Samuel prefer the Interest of his Sons and their Ambition, and their Covetousness, before the general good of all the people, when they asked a thing that would be good and profitable for them? Can we think that he would impose upon them by cunning and subtilty, and make them believe things that were not? Or if we should suppose all this true of Samuel, would God himself countenance and gratify him in it; would he dissemble with the people? So that either that was not the right of Kings which

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Samuel taught the people; or else that right by the Testimony, both of God and the Prophet was an evil thing, was burdensom, injurious, unprofitable, and chargeable to the Common-wealth: Or *Lastly*, (which must not be admitted), God and the Prophet deceiv'd the People. God frequently protests that he was extremely displeas'd with them for asking a King. v. 7th. *They have not rejected thee, but they have rejected me, that I should not reign over them.* As if it were a kind of Idolatry to ask a King, that would even suffer himself to be ador'd, and assume almost Divine Honour to himself. And certainly, they that subject themselves to a worldly Master, and set him above all Laws, come but a little short of chusing a strange God: And a strange one it commonly is; brutish, and void of all sense and reason. So 1st of *Sam.* Chap. 10th. v. 19th. *And ye have this day rejected your God, who himself saved you out of all your adversities and your tribulation, and ye have said unto him, Nay, but set a king over us, &c.* and Chap 12th. v. 12th. *Ye said unto me, Nay, but a king shall reign over us; when the Lord your God was your king,* and v. the 17th. *See that your wickedness is great, that ye have done in the sight the Lord, in asking you a king.* And *Hisea* speaks contemptibly of the King, Chap, 13. v. 10th. 11th. *I will be thy king; where is any other that may save in all thy cities, and thy judges of whom thou saidest: give me a king and princes? I gave thee a king in mine anger, and took him away in my wrath.* And *Gideon* that warlike Judg, that was greater than a King; *I will not rule over you,* says he, *neither shall my son rule over you; the Lord shall rule over you,* Judges, Chap the 8th. Intimating thereby, that it is not fit for a man, but for God only to exercise Dominion over men. And hence *Josephus* in his Book against *Appion*, an Egyptian Grammarian, and a foul-mouth'd

mouth'd fellow, like you, calls the Commonwealth of the *Hebrews* a Theocracy, because the principality was in God only. In *Isaiab*, Chap. 26. v. 13. The people in their repentance, complain that it had been mischievous to them, *that other Lords besides God himself, had had Dominion over them.* All which places prove clearly, that God gave the *Israelites* a King in his anger; but now who can forbear laughing at the use you make of *Abimelech's* story? Of whom it is said, when he was kill'd, partly by a woman, that hurl'd a piece of a Mill-stone upon him, and partly by his own Armour-Bearer; that *God rendred the wickedness of Abimelech.* This History, say you, proves strongly that God only is the Judge and Avenger of Kings. Yea, if this Argument holds, he is the only Judge and Punisher of Tyrants, Villanous Rascals and Bastards: whoever can get into the Saddle, whether by right or by wrong, has thereby obtain'd a Sovereign Kingly right over the people, is out of all danger of punishment, all inferior Magistrates must lay down their Arms at his feet, the people must not dare to mutter. But what if some great notorious robber had perished in War, as *Abimelech* did, would any man infer from thence, That God only is the Judge and Punisher of High-way men? Or what if *Abimelech* had been condemn'd by the Law, and died by an Executioner's hand, would not God then have rendred his wickedness? You never read that the Judges of the Children of *Israel* were ever proceeded against according to Law: And yet you confess, That *where the Government is an Aristocracy, the Prince, if there be any, may and ought to be call'd in question, if he break the Laws.* This in your 47th. Page. And why may not a Tyrant as well be proceeded against in a Kingly Government? Why, because God rendred the wicked-

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ness of *Abimelech*. So did the Women, and so did his own Armour-bearer; over both which he pretended to a right of Sovereignty. And what if the Magistrates had rendred his wickedness? Do not they bear the Sword for that very purpose, for the punishment of Malefactors? Having done with his powerful argument from the History of *Abimelech's* death, he betakes himself, as his custom is, to Slanders and Calumnies; nothing but dirt and filth comes from him; but for those things that he promis'd to make appear, he hath not prov'd any one of them, either from the Scriptures, or from the Writings of the *Rabbins*. He alledges no reason why Kings should be above all Laws, and they only of all mortal men exempt from punishment, if they deserve it. He falls foul upon those very Authors and Authorities that he makes use of, and by his own Discourse demonstrates the truth of the opinion that he argues against. And perceiving that he is like to do but little good with his arguments, he endeavours to bring an *odium* upon us, by loading us with slanderous accusations, as having put to death the most Vertuous innocent Prince that ever reign'd. *Was King Solomon*, says he, *better than King Charles the First*? I confess some have ventur'd to compare his Father King *James* with *Solomon*; nay to make King *James* the better Gentleman of the two. *Solomon* was *David's* Son, *David* had been *Saul's* Musitian; but King *James* was the Son of the Earl of *Darby*, who, as *Buchanan* tells us, because *David* the Musitian got into the Queen's Bed-Chamber at an unseasonable time, kill'd him a little after; he could not get to him then, because he had Bolted the Door on the inside. So that King *James* being the Son of an Earl, was the better Gentleman; and was frequently called a second *Solomon*, though it is not very

very certain that himself was not the Son of *David* the Militian too. But how could it ever come into your head to make a comparison betwixt King *Charles* and *Solomon*? For that very King *Charles* whom you praise thus to the sky, that very man's obstinacy, and covetousness, and cruelty, his hard usage of all good and honest men, the Wars that he rais'd, the Spoilings and Plunderings and Conflagrations that he occasioned, and the death of innumerable of his Subjects that he was the cause of, does his Son *Charles*, at this very time whilst I'm a writing, confess and bewail in the Stool of Repentance in *Scotland*, and renounces there that Kingly right that you assert; but since you delight in Parallels, let's compare King *Charles* and King *Solomon* together a little: *Solomon* began his reign with the death of his Brother, who had justly deserved it; King *Charles* began his with his Father's Funeral, I do not say with his Murder; and yet all the marks and tokens of Poyson that may be, appeared in his dead body; but that suspicion lighted upon the Duke of *Buckingham* only; whom the King notwithstanding cleared to the Parliament, though he had killed the King, and his Father; and not only so, but he dissolved the Parliament, lest the matter should be enquired into. *Solomon* oppressed the people with heavy Taxes; but he spent that Money upon the Temple of God, and in raising other publick Buildings. King *Charles* spent his in Extravagances. *Solomon* was enticed to Idolatry by many Wives: This man by one. *Solomon*, though he were seduced himself, we read not that he seduced others; but King *Charles* seduced and enticed others not only by large and ample rewards to corrupt the Church, but by his Edicts and Ecclesiastical Constitutions he compelled them to set up Altars, which all Protestants abhor, and to

bow down to Crucifixes painted over them on the Wall. *But yet for all this, Solomon was not condemned to die.* Nor does it follow, because he was not, that therefore he ought not to have been. Perhaps there were many Circumstances that made it then not expedient. But not long after the people both by words and actions made appear what they took to be their right ; when Ten Tribes of Twelve revolted from his Son ; and if he had not saved himself by flight, it is very likely they would have stoned him, notwithstanding his Threats and big swelling words.

C H A P. III.

HAVING proved sufficiently that the Kings of the *Jews* were subject to the same Laws that the people were ; That there are no exceptions made in Scripture ; That 'tis a most false assertion, grounded upon no reason, nor warranted by any Authority, to say, That Kings may do what they list with Impunity ; That God has exempted them from all humane Jurisdiction, and reserved them to his own Tribunal only : Let us now consider, whether the Gospel preach up any such Doctrine, and enjoyn that blind obedience which the Law was so far from doing, that it commanded the contrary ; let us consider whether or no the Gospel, that Heavenly Promulgation, as it were, of Christian Liberty, reduce us to a condition of Slavery to Kings and Tyrants, from whose imperious rule even the old Law, that Mistress of Slavery, discharged the people of God, when it obtained. Your first argument you take from the person of Christ himself. But, alas ! who does not know that he put himself into the condition, not of a private person only

only, but even of a servant, that we might be made free ? Nor is this to be understood of some internal spiritual liberty only ; how inconsistent else would that Song of his Mothers be with the design of his coming into the world, *He bath scattered the proud in the imagination of their heart, he bath put down the mighty from their seat, and bath exalted the humble and meek ?* How ill suited to their occasion would these expressions be, if the coming of Christ rather established and strengthened a Tyrannical Government, and made a blind subjection the duty of all Christians ? Himself having been born and lived and died under a Tyrannical Government, has thereby purchased Liberty for us. As he gives us his Grace to submit patiently to a condition of Slavery, if there be a necessity of it ; so if by any honest ways and means we can rid our selves, and obtain our Liberty, he is so far from restraining us, that he encourageth us so to do. Hence it is that St. Paul not only of an Evangelical, but a Civil Liberty, says thus, 1 Cor. 7. 21. *Art thou called being a servant, care not for it ; but if thou maist be made free, use it rather ; you are bought with a price, be not ye servants of men.* So that you are very impertinent in endeavouring to argue us into Slavery by the example of our Saviour ; who by submitting to such a condition himself, has confirmed even our Civil Liberties. He took upon him indeed in our stead the form of a servant, but he always retained his purpose of being a deliverer ; and thence it was that he taught us a quite other notion of the right of Kings, than this that you endeavour to make good : You, I say, that preach up not Kingship, but Tyranny, and that in a Commonwealth ; by enjoyning not a necessary only, but a Religious subjection to whatever Tyrant gets into the Chair, whether he come to it by Succession,

or by Conquest, or chance, or any how. And now I'll turn your own weapons against you, and oppose you, as I use to do, with your own Authorities. When the Collectors of the Tribute-money came to Christ for Tribute in Galilee, he asked Peter, Mat. 17. *Of whom the Kings of the earth took custom or tribute, of their own children, or of strangers? Peter saith unto him, Of strangers; Jesus saith unto him, then are the children free; notwithstanding lest we should offend them. &c. give unto them for thee and for me.* Expolitors differ upon this place, whom this Tribute was paid to; some say it was paid to the Priests, for the use of the Sanctuary; others that it was paid to the Emperour. I am of opinion, that it was the Revenue of the Sanctuary, but paid to Herod, who perverted the Institution of it, and took it to himself. *Josephus* mentions divers sorts of Tribute which he and his Sons exacted, all which *Agrippa* afterwards remitted. And this very Tribute, though small in it self, yet being accompanied with many more, was a heavy burden; the *Jews*, even the poorest of them, in the time of their Commonwealth, paid a Poll; so that it was some considerable oppression that our Saviour spoke of; and from hence he took occasion to Tax *Herod's* Injustice, under whose Government, and within whose Jurisdiction he then was; in that, whereas the Kings of the Earth (who affect usually the Title of Fathers of their Country) do not use to oppress their own Children, that is, their own natural born Subjects with heavy and unreasonable Exactions, but lay such burdens upon strangers and conquer'd enemies; he, quite contrary, oppressed not strangers, but his own people. But let what will be here meant by Children, either natural born Subjects, or the Children of God, and those the Elect only, or Christians in general, as *St. Augustine* understands

understands the place ; this is certain, that if *Peter* was a child, and therefore free, then by consequence we are so too, by our Saviour's own Testimony, either as *Englishmen*, or as Christians ; and that consequently it is not the right of Kings to exact heavy Tributes from their own Countrymen, and those freeborn Subjects. Christ himself professeth, that he paid not this Tribute as a thing that was due, but that he might not bring trouble upon himself by offending those that demanded it. The work that he came into this World to do, was quite of another Nature. But if our Saviour deny, that it is the Right of Kings to burden their Free-born Subjects with grievous Exactions, he would certainly much less allow it to be their Right to Spoil, Massacre, and Torture their own Countrymen, and those Christians too. He discoursed after such a manner of the Right of Kings', that those that he spoke to, suspected his Principles, as laying too great a restraint upon Sovereignty, and not allowing the License that Tyrants assume to themselves to be the Rights of Kings. It was not for nothing that the *Pharisees* put such Questions to him, tempting him ; and that at the same time they told him, that he regarded not the Person of any Man ; nor was it for nothing that he was angry when such Questions were proposed to him, *Matth.* 22. If one should endeavour to ensnare you with little Questions, and catch at your Answers, to ground an Accusation against you upon your own Principles concerning the Right of Kings, and all this under a Monarchy, would you be angry with him? You'd have but very little reason. 'Tis evident, That our Saviours Principles concerning Government, were not agreeable to the Humour of Princes. His Answer too implies as much ; by which he rather turn'd

them away, than instructed them. He asked for the Tribute-money. *Whose Image and Superscription is it*, says he? They tell him it was *Cesar's*. Give then to *Cesar*, says he, *the things that are Cesar's*; and to God, *the things that are God's*. And how comes it to pass, that the People should not have given to them the things that are theirs? *Render to all men their dues*, says St. Paul, *Rom. 13.* So that *Cesar* must not ingross all to himself. Our Liberty is not *Cesar's*; 'tis a Blessing we have received from God himself; 'tis what we are born to; to lay this down at *Cesar's* feet, which we derive not from him, which we are not beholden to him for, were an unworthy Action, and a degrading of our very Nature. If one should consider attentively the Countenance of a Man, and enquire after whose Image so noble a Creature were framed; would not any one that heard him, presently make answer, That he was made after the Image of God himself? Being therefore peculiarly God's own, and consequently things that are to be given to him; we are intirely free by Nature, and cannot without the greatest Sacrilege imaginable be reduced into a Condition of Slavery to any Man, especially to a wicked, unjust, cruel Tyrant. Our Saviour does not take upon him to determine what things are God's, and what *Cesar's*; he leaves that as he found it. If the piece of Money which they shewed him, was the same that was paid to God, as in *Vespasian's* time it was, then our Saviour is so far from having put an end to the Controversy, that he has but entangl'd it, and made it more perplext than it was before; for 'tis impossible the same thing should be given both to God, and to *Cesar*. But, you say, he intimates to them what things were *Cesar's*; to wit, that piece of Money because it bore the Emperor's Stamp; and what

what of all that ? How does this advantage your Cause ? You get not the Emperor, or to your self, a Penny by this Conclusion. Either Christ allowed nothing at all to be *Cesar's*, but that piece of Money that he then had in his hand, and thereby asserted the Peoples Interest in every thing else ; or else, if (as you would have us understand him) he affirms all Money that has the Emperor's stamp upon it, to be the Emperor's own. He contradicts himself, and gives the Magistrate a property in every Man's Estate, when as he himself paid his Tribute-money with a Protestation, that it was more than what either *Peter*, or himself was bound to do. The ground you rely on, is very weak ; for Money bears the Prince's Image, not as a token of its being his, but of its being good Metal, and that none may presume to Counterfeit it. If the writing Princes Names, or setting their Stamps upon a thing, vest the property of it in them, 'twere a good ready way for them to invade all Property. Or rather, if whatever Subjects have, be absolutely at their Prince's disposal, which is your Assertion, that piece of Money was not *Cesar's*, because his Image was stampd on it, but because of Right it belonged to him before 'twas coyn'd. So that nothing can be more manifest, than that our Saviour in this place never intended to teach our Duty to Magistrates (he would have spoke more plainly, if he had) but to reprehend the Malice and Wickedness of the hypocritical *Pharisees*. When they told him that *Herod* laid wait to kill him ; did he return an humble, submissive Answer ? Go, tell that *Fox*, says he, &c. intimating, that Kings have no other Right to destroy their Subjects, than *Foxes* have to devour the things they prey upon, Say you, ' He suffered Death under a Ty-

rant,

rant. How could he possibly under any other? But from hence you conclude, that he asserted it to be the Right of Kings to commit Murder, and act Injustice. You'd make an excellent Moralist. But our Saviour, tho he became a Servant, not to make us so, but that we might be free; yet carried he himself so with Relation to the Magistracy, as not to ascribe any more to them than their due. Now, let us come at last to enquire what his Doctrine was upon this Subject. The Sons of Zebedee were ambitious of Honour and Power in the Kingdom of Christ, which they persuaded themselves he would shortly set up in the World; he reproves them so, as withal to let all Christians know what Form of Civil Government he desires they should settle amongst themselves. *Ye know, says he, that the Princes of the Gentiles exercise dominion over them; and they that are great, exercise authority upon them; but it shall not be so among you; but whosoever will be great among you, let him be your Minister; and whosoever will be chief among you, let him be your servant.* Unless you'd been distracted, you could never have imagined that this place makes for you: and yet you urge it, and think it furnishes you with an Argument to prove that our Kings are absolute Lords and Masters over us and ours. May it be our fortune to have to do with such Enemies in War, as will fall blind-fold and naked into our Camp instead of their own: as you constantly do, who alledge that for your self, that of all things in the World makes most against you. The *Israelites* asked God for a King, such a King as other Nations round about them had. God dissuaded them by many Arguments, which our Saviour here gives us an Epitomy of; *You know that the Princes of the Gentiles exercise Dominion over them.* But yet, because the *Israelites* perished

persisted in their desire of a King, God gave them one, tho in his Wrath. Our Saviour, lest Christians should desire a King, such a one at least, as might Rule as, he says, the Princes of the *Gentiles* did, prevents them with an Injunction to the contrary; *but it shall not be so among you.* What can be said plainer than this? That stately, imperious Sway and Dominion that Kings use to exercise, shall not be amongst you; what specious Titles soever they may assume to themselves, as that of Benefactors, or the like. *But he that will be great amongst you, (and who is greater than the Prince?) let him be your Servant.* So that the Lawyer, whoever he be, that you are so smart upon, was not so much out of the way, but had our Saviour's own Authority to back him, when he said that Christian Princes were indeed no other than the Peoples Servants; 'tis very certain that all good Magistrates are so. Inasmuch that Christians either must have no King at all, or if they have, that King must be the People's Servant. Absolute Lordship and Christianity are inconsistent. *Moses* himself, by whose Ministry that severer Oeconomy of the old Law was instituted, did not exercise an Arbitrary, Haughty Power and Authority, but bore the burden of the People, and carried them in his Bosom, as a Nursing Father does a sucking Child, *Numb. 11.* and what is that of a Nursing Father, but a Ministerial Employment? *Plato* would not have the Magistrates called Lords, but Servants and Helpers of the People; nor the People Servants, but Maintainers of their Magistrates, because they give Meat, Drink, and Wages to their Kings themselves. *Aristotle* calls the Magistrates, Keepers and Ministers of the Laws. *Plato*, Ministers and Servants. The Apostle calls them Ministers of God; but they are Ministers and Servants of

of the People, and of the Laws, nevertheless for all that; the Laws and the Magistrates were both created for the good of the People: And yet this is it, that you call *the Opinion of the Fanatick-Mastiffs in England*. I should not have thought the People of *England* were Mastiff-dogs, if such a Mungril-Cur as thou art, did

* *Lupus in Latin, signifies a Wolf.*

not bark at them so Currishly; the Master, if it shall please ye, of *St. Lupus* *, *St. Wolf*, it seems complains, that the Mastiffs are mad (*Fanaticks*). *Germanus* heretofore, whose Colleague that *Lupus* of *Triers* was, deposed our Incestuous King *Vortigern* by his own Authority. And therefore *St. Lupus* despises thee, the Master not of *St. Lupus*, (*a Holy Wolf*) but of some hunger-starv'd, thieving, little Wolf or other, as being more contemptible than that Master of Vipers, of whom *Martial* makes mention, who hast by Relation, a barking She-wolf at home too, that domineers over thee most wretchedly; at whose Instigations, as I am informed, thou hast wrote this stuff. And therefore it is the less wonder that thou shouldst endeavour to obtrude an Absolute Regal Government upon others, who hast been accustomed to bear a Female Rule so servilely at home thy self. Be therefore, in the Name of God, the Master of a Wolf, lest a She-wolf be thy Mistress; be a Wolf thy self, be a Monster made up of a Man, and a Wolf; whatever thou art, the *English* Mastiffs will but make a laughing-stock of thee. But I am not now at leisure to hunt for Wolves, and will put an end therefore to this Digression. You that but a while ago wrote a Book against all manner of superiority in the Church, now call *St. Peter* the Prince of the Apostles. How inconstant you are in your Principles! But what says *Peter*? *Submit yourselves*

selves to every ordinance of man, for the Lord's sake, whether it be to the King as Supream, or to Governors, as unto them that are sent by him, for the punishment of evil doers, and the praise of them that do well : for so is the will of God, &c. This Epistle Peter wrote, not only to private Persons, but those Strangers scatter'd and dispers'd through *Asia* ; who in those places where they sojourned, had no other right, than that the Laws of Hospitality intituled them to. Do you think such mens case to be the same with that of Natives, Free-born Subjects, Nobility, Senates, Assemblies of Estates, Parliaments ? Nay, is not the case far different of private Persons, tho' in their own Countrey, and Senators, Magistrates, without whom, Kings themselves cannot possibly subsist ? But let us suppose that St. Peter had directed his Epistle to the Natural born Subjects, and those not private persons neither ; suppose he had writ to the Senate of *Rome*, What then ? No Law that is grounded upon a reason, expressly set down in the Law it self, obligeth further than the reason of it extends. *Be subject*, says he, *unto the Lord* : That is, according to the genuine sense and import of the word, *be subordinate, or legally subject*. For the law, *Aristotle* says, is order. *Submit for the Lord's sake*. Why so ? Because a King is an Officer appointed by God for the punishment of evil doers, and the praise of them that do well. For so is the will of God : To wit, That we should submit and yield Obedience to such as are here described. There is not a word spoken of any other. You see the ground of this Precept, and how well 'tis laid. The Apostle adds in the 16th v. as *Free* ; therefore not as *Slaves*. What now, if Princes pervert the design of Magistracy, and use the power that is put into their Hands, to the ruin and destruction of good men ; and the praise and encouragement of evil doers ? Must we

all

all be condemn'd to perpetual Slavery, not private persons only, but our Nobility, all our inferior Magistrates; our very Parliament it self? Is not temporal Government call'd a humane Ordinance? How comes it to pass then, that mankind should have power to appoint and constitute, what may be good and profitable for one another; and want power to restrain or suppress things that are universally mischievous and destructive? That Prince, you say, whom St. Peter enjoyns Subjection to, was *Nero* the Tyrant: And from thence you infer, that it is our Duty to submit and yield Obedience to such. But it is not certain that this Epistle was writ in *Nero's* Reign: 'Tis as likely to have been writ in *Claudius* his time. And they that are commanded to submit, were private Persons and Strangers; they were no Consuls, no Magistrates: 'Twas not the *Roman Senate*, that St. Peter directed his Epistle to. Now let us hear what use you make of St. Paul, (for you take a freedom with the Apostles, I find, that you will not allow us to take with Princes, you make St. Peter the chief of them to day, and to morrow put another in his place). St. Paul in his 13th Chap. to the *Romans*, has these words. *Let every soul be subject unto the higher Powers, for there is no power but of God; the powers that be, are ordained of God.* I confess, he writes this to the *Romans*, not to Strangers dispers'd, as Peter did; but yet he writes to private persons, and those of the meaner rank, And yet he gives us a true, and a clear account of the reason, the Original, and the design of Government; and shows us the true and proper ground of our Obedience, that it's far from imposing a necessity upon us of being Slaves. "Let every Soul, says he; that is, let every man" submit. *Chrysostome* tells us, that "St. Paul's design in this
"Dis-

" Discourse, was to make it appear, that our Saviour
 " did not go about to introduce principles incon-
 " sistent with the Civil Government, but such as
 " strengthened it, and settled it upon the surest Foun-
 " dations. He never intended then by setting *Nero*,
 or any other Tyrant out of the reach of all Laws, to
 enslave mankind under his lust and cruelty. " He in-
 tended too, *says the same Author*, " to dissuade from
 unnecessary and causeless Wars. But he does not con-
 demn a War taken up against a Tyrant, a bosom Ene-
 my of his own Countrey, and consequentily the most
 dangerous that may be. " 'Twas commonly said in
 " those days, that the Doctrine of the Apostles was
 ' seditious, themselves persons that endeavour'd to
 ' shake the settled Laws and Government of the world;
 ' that this was what they aim'd at in all they said and
 ' did. The Apostle in this Chapter stops the mouths
 of such gain-sayers : So that the Apostles did not
 write in defence of Tyrants, as you do ; but they as-
 serted such things as made them suspected to be ene-
 mies to the Government they liv'd under, things that
 stood in need of being explained and interpreted, and
 having another sense put upon them, than was
 generally receiv'd. *St. Chrysostome* has now taught
 us what the Apostle's design was in this Discourse ;
 let us now examine his words. *Let every soul be subject*
to the higher powers. He tells us not what those Higher
 Powers are, nor who they are ; for he never intended
 to overthrow all Governments, and the several Con-
 stitutions of Nations, and subject all to some one
 man's will. Every good Emperour acknowledged
 that the Laws of the Empire, and the Authority of
 the Senate was above himself ; and the same principle
 and notion of Government has obtained all along in
 Civiliz'd Nations. *Pindar*, as he is cited by *Herodo-*

ius, calls the Law *πάντων βασιλεία*, King over all. Orpheus in his Hymns calls it the King both of Gods and Men. And he gives the reason why it is so; Because, says he, 'tis that that sits at the helm of all humane affairs. Plato in his Book *de Legibus*, calls it *τὸ κρατὺν ἐν τῇ πόλει*: that that ought to have the greatest sway in the Commonwealth. In his Epistles he commends that Form of Government, in which the Law is made Lord and Master, and no scope given to any Man to tyrannize over the Laws. Aristotle is of the same Opinion in his *Politics*; and so is Cicero in his Book *De Legibus*, That the Laws ought to Govern the Magistrates, as they do the people. The Law therefore having always been accounted the highest Power on Earth, by the judgment of the most Learned and wise men that ever were, and by the Constitutions of the best ordered States, and it being very certain that the Doctrine of the Gospel is neither contrary to reason nor the Law of Nations, that man is truly and properly subject to the higher Powers, that obeys the Law, and the Magistrates, so far as they govern according to Law. So that St. Paul does not only command the people, but Princes themselves to be in subjection: who are not above the Laws, but bound by them: For there is no power but of God: that is, no form; no lawful Constitution of any Government. The most ancient Laws that are known to us, were formerly ascribed to God as their Author. For the Law, says Cicero in his *Philipp.* is no other than a rule of well grounded reason, derived from God himself, enjoying whatever is just and right, and forbidding the contrary. So that the institution of Magistracy is *Jure Divino*, and the end of it is, that Mankind might live under certain Laws, and be govern'd by them; but what particular form of Government each

each Nation would live under, and what Persons should be entrusted with the Magistracy, without doubt was left to the choice of each Nation. Hence St. Peter calls Kings and Deputies, *Humane Ordinances*. And Hosea in the 8th Chapter of his Prophecy, *They have set up Kings, but not by me; they have made Princes, and I knew it not*. For in the Commonwealth of the Hebrews, where upon matters of great and weighty Importance, they could have access to God himself, and consult with him; they could not chuse a King themselves by Law, but were to refer the matter to him. Other Nations have received no such Command. Sometimes the very Form of Government, if it be amiss, or at least those Persons that have the Power in their hands, are not of God, but of Men, or of the Devil, Luke 4. *All this power will I give unto thee, for it is delivered unto me, and I give it to whom I will*. Hence the Devil is called the Prince of this World; and in the 12th of the Revelations, the Dragon gave to the Beast his Power, and his Throne, and great Authority. So that we must not understand St. Paul, as if he spoke of all sorts of Magistrates in general, but of lawful Magistrates; and so they are described in what follows. We must also understand him of the Powers themselves; not of those Men always, in whose hands they are lodged. St. Chrysostome speaks very well, and clearly upon this occasion. *What?* says he, *is every Prince then appointed by God to be so?* I say no such thing, says he. St. Paul speaks not of the Person of the Magistrate, but of the Magistracy it self. He does not say, there is no Prince but who is of God. He says there is no Power but of God. Thus far St. Chrysostome; for what Powers are, are ordained of God. So that St. Paul speaks only of a lawful Magistracy. For what is Evil and amiss, can-

not be said to be ordain'd, because 'tis disorderly; order and disorder cannot consist together in the same Subject. The Apostle says, *The Powers that be*; and you interpret his words as if he had said, *The Powers that now be*; that you may prove that the *Romans* ought in Conscience to obey *Nero*, who you take for granted was then Emperor. I'm very well content you should read the words so, and draw that Conclusion from them. The Consequence will be, that *English* Men ought to yield Obedience to the present Government, as 'tis now establish'd according to a new Model; because you must needs acknowledge that it is the *present* Government, and ordain'd of God, as much at least as *Nero's* was. And lest you should object that *Nero* came to the Empire by a Lawful Succession, it's apparent from the *Roman* History that both he and *Tiberius* got into the Chair by the Tricks and Artifices of their Mothers, and had no right at all to the Succession. So that you are inconsistent with your self, and retract from your own Principles, in affirming that the *Romans* owed Subjection to the Government that then was; and yet denying that *Englishmen* owe Subjection to the Government that now is. But 'tis no wonder to hear you contradict your self. There are no two things in the World more directly opposite and contrary to one another, than you are to your self. But what will become of you, poor Wretch? You have quite undone the young King with your Witicisms, and ruin'd his Fortunes utterly; for according to your own Doctrine you must needs confess, that this *present* Government in *England*, is ordain'd of God, and that all *Englishmen* are bound in Conscience to submit to it. Take notice all ye Criticks and Textuaries. Do not you presume to meddle with this

Text.

Text. Thus *Salmasius* corrects that Passage in the Epistle to the *Romans*: He has made a discovery, that the Words ought not to be read, *The Powers that are*; but, *The Powers that now are*: And all this to prove, that all Men owed Subjection and Obedience to *Nero* the Tyrant, whom he supposed to have been then Emperor. This *Epistle*, which you say was writ in *Nero's* time, was writ in his Predecessor's time, who was an honest well-meaning Man: And this Learned Men evince by undeniable Arguments. But besides, the five first years of *Nero's* Reign were without Exception. So that this thread-bare Argument, which so many Men have at their Tongue's end, and have been deceived by, to wit, that Tyrants are to be obeyed, because *St. Paul* enjoyns a Subjection to *Nero*; is evident to have been but a cunning Invention of some ignorant Parson. He that resists the Powers, to wit, a lawful Power, resists the Ordinance of God. Kings themselves come under the Penalty of this Law, when they resist the Senate, and act contrary to the Laws. But do they resist the Ordinance of God, that resist an unlawful Power, or a Person that goes about to overthrow and destroy a lawful one? No Man living in his right wits can maintain such an Assertion. The words immediately after make it as clear as the Sun, that the Apostle speaks only of a lawful Power; for he gives us in them a Definition of Magistrates, and thereby explains to us, who are the Persons thus authoriz'd, and upon what account we are to yield Obedience, lest we should be apt to mistake, and ground extravagant Notions upon his Discourse. *The Magistrates*, says he, *are not a Terror to good Works, but to evil; Wilt thou then not be afraid of the Power? Do that which is good, and thou shalt have praise of the same:*

For he is the Minister of God to thee for good. He beareth not the Sword in vain; for he is the Minister of God, a Revenger to execute Wrath upon him that doth Evil. What honest Man would not willingly submit to such a Magistracy as is here described? And that not only to avoid Wrath, and for fear of Punishment, but for Conscience sake. Without Magistrates, and some Form or other of Civil Government, no Commonwealth, no Humane Society can subsist; there were no living in the World. But whatever Power enables a Man, or whatsoever Magistrate takes upon him to act contrary to what St. Paul makes the Duty of those that are in Authority; neither is that Power, nor that Magistrate ordain'd of God. And consequently to such a Magistracy no Subjection is commanded, nor is any due, nor are the People forbidden to resist such Authority, for in so doing they do not resist the Power, nor the Magistracy, as they are here excellently well described; but they resist a Robber, a Tyrant, an Enemy; who if he may notwithstanding in some sense be called a Magistrate, upon this account only, because he has Power in his hands; which perhaps God may have invested him with for our punishment; by the same reason the Devil may be called a Magistrate. This is most certain; that there can be but one true Definition of one and the same thing. So that if St. Paul in this place define what a Magistrate is, which he certainly does, and that accurately well; He cannot possibly define a Tyrant, the most contrary thing imaginable, in the same words. Hence I infer, that he commands us to submit to such Magistrates only as he himself defines and describes, and not to Tyrants, which are quite other things. For this Cause you pay Tribute also. He gives a Reason, together with a Command. Hence

St.

St. Chrysostome; *Why do we pay Tribute to Princes ?* says he, *Do we not thereby reward them for the care they take of our Safety ? We should not have paid them any Tribute, if we had not been convinc'd, That it was good for us to live under a Government.* So that I must here repeat what I have said already, That since Subjection is not absolutely enjoined, but upon a particular Reason, that reason must be the rule of our Subjection; where that reason holds, we are Rebels if we submit not; where it holds not, we are Cowards and Slaves if we do. *But, say you, the English are far from being Freeman ; for they are wicked and flagitious.* I will not reckon up here the Vices of the *French*, tho they live under a Kingly Government; neither will I excuse my own Countrey-men too far; but this I may safely say; Whatever Vices they have, they have learnt them under a Kingly Government; as the *Israelites* learnt a great deal of Wickedness in *Egypt*: And as they, when they were brought into the Wilderness, and lived under the immediate Government of God himself, could hardly reform; just so 'tis with us: But there are good hopes of many amongst us; that I may not here celebrate those men amongst us, that are eminent for their Piety and Virtue, and Love of the Truth; of which sort I persuade my self we have as great a number, as where you think there are most such. *But they have laid a heavy yoke upon the English Nation:* What if they have, upon those of them that endeavoured to lay a heavy yoke upon all the rest? Upon those that have deserved to be put under the hatches? As for the rest, I question not but they are very well content to be at the Expence of maintaining their own Liberty, the Publick Treasury being exhausted by the Civil Wars. Now he betakes himself to the *Fabulous Rabbins* again: He asserts frequently,

quently, that Kings are bound by no Laws ; and yet he proves, That according to the sense of the *Rabbins*, a King may be guilty of *Treason*, by suffering an Invasion upon the Rights of his Crown. So Kings are bound by Laws, and they are not bound by them ; they may be Criminals, and yet they may not be so. This man contradicts himself so perpetually, that Contradiction and he seem to be of kin to one another. You say that God himself put many Kingdoms under the yoke of *Nebuchadnezzar*, King of *Babylon*. I confess he did so for a time, *Jer. 27. 7* but do you make appear if you can, that he put the *English* Nation into a condition of Slavery to *Charles Stuart* for a minute. I confess he suffered them to be enslaved by him for some time ; but I never yet heard that himself appointed it so to be. Or if you will have it so, that God shall be said to put a Nation under Slavery, when a Tyrant prevails ; why may he not as well be said to deliver them from his Tyranny, when the People prevail and get the upper hand ? Shall his Tyranny be said to be of God, and not our Liberty ? There is no evil in the City, that the Lord hath not done, *Amos 3*. So that Famine, Pestilence, Sedition, War, all of them are of God ; and is it therefore unlawful for a People afflicted with any of these Plagues, to endeavour to get rid of them ? Certainly they would do their utmost, tho they know them to be sent by God, unless himself miraculously from Heaven should command the contrary : And why may they not by the same reason rid themselves of a Tyrant, if they are stronger than he ? Why should we suppose his weakness to be appointed by God for the ruin and destruction of the Commonwealth, rather than the Power and Strength of all the People, for the good of the State ? Far be it from all Commonwealths, from all Societies

of

of free-born men to maintain not only such pernicious, but such stupid and senseless Principles; Principles that subvert all Civil Society, that to gratifie a few Tyrants, level all Mankind with Brutes; and by setting Princes out of the reach of humane Laws, give them an equal power over both. I pass by those foolish *Dilemma's* that you now make, which that you might take occasion to propose, you feign some or other to assert that, *that superlative power of Princes is derived from the people*; though for my own part I do not at all doubt but that all the power that any Magistrates have, is so. Hence *Cicero* in his *Orat. pro Flacco*, 'Our wise and holy Ancestors, says he, appointed those things to obtain for Laws, that the people Enacted. And hence it is that *Lucius Crassus*, an Excellent Roman Orator, and at that time President of the Senate, when in a Controversie betwixt them and the common people, he asserted their rights, 'I beseech you, says he, suffer not us to live in subjection to any, but your selves, to the entire body, of whom we can and ought to submit. For though the Roman Senate Govern'd the people, the people themselves had appointed them to be their Governours, and had put that power into their hands. We read the term of *Majesty* more frequently applied to the people of *Rome*, than to their Kings. *Tully* in *Orat. pro Plancio*, 'It is the condition of all free people, (says he) and especially of this people, the Lord of all Nations, by their Votes to give or take away, to or from any, as themselves see cause. 'Tis the duty of the Magistrates patiently to submit to what the body of the people Enact. Those that are not ambitious of Honour, have the less obligation upon them to Court the people; those that affect Preferment, must not be weary of entreating them. Should I

scruple to call a King the servant of his people, when I hear the *Roman* Senate, that reign'd over so many Kings, profess themselves to be but the peoples servants? You'll object perhaps, and say, that all this is very true in a popular State; but the case was altered afterwards, when the Regal Law transferred all the people's right into *Augustus* and his Successors. But what think you then of *Tiberius*, whom your self confess to have been a very great Tyrant, as he certainly was; *Suetonius* says of him, that when he was once called *Lord* or *Master*, though after the Enacting of that *Lex Regia*, he desired the person that gave him that appellation, to forbear abusing him. How does this sound in your ears? a Tyrant thinks one of his Subjects abuses him in calling him *Lord*. The same Emperour in one of his Speeches to the Senate, 'I have said, says he, frequently heretofore, and now 'I say it again, that a good Prince whom you have 'invested with so great power, as I am entrusted 'with, ought to serve the Senate, and the body of 'the people, and sometimes even particular persons; 'nor do I repent of having said so: I confess that 'you have been good and just, and indulgent Masters 'to me, and that you are yet so. You may say that he dissimbled in all this, as he was a great Proficient in the art of Hypocrisie; but that's all one. No man endeavours to appear otherwise than he ought to be. Hence *Tacitus* tells us, that it was the custom in *Rome* for the Emperours in the *Circus*, to worship the people; and that both *Nero* and other Emperours practised it. *Claudian* in his Panegyrick upon *Honorius* mentions the same custom. By which sort of Adoration what could possibly be meant, but that the Emperours of *Rome*, even after the Enacting of the *Lex Regia*, confessed the whole body of the people to be their

their Superiors? But I find, as I suspected at first, and so I told ye, that you have spent more time and pains in turning over Glossaries, and Criticising upon Texts, and propagating such like Laborious trifles, than in reading sound Authors so as to improve your knowledge by them. For had you been never so little versed in the Writings of Learned men in former ages, you would not have accounted an opinion new, and the product of some Enthusiastick heads, which has been asserted and maintained by the greatest Philosophers, and most famous Politicians in the world. You endeavour to expose one *Martin*, who you tell us was a *Taylor*, and one *William* a *Tanner*; but if they are such as you describe them, I think they and you may very well go together; though they themselves would be able to instruct you, and unfold those mysterious Riddles that you propose: as, *Whether or no they that in a Monarchy would have the King but a servant to the Commonwealth, will say the same thing of the whole body of the people in a popular State? And whether all the people serve in a Democracy, or only some part or other serve the rest?* And when they have been an *Oedipus* to you, by my consent you shall be a *Sphinx* to them in good earnest, and throw your self headlong from some precipice or other, and break your neck; for else I'm afraid you'll never have done with your Riddles and Fooleries. You ask, *Whether or no, when St. Paul names Kings, he meant the people?* I confess *St. Paul* commands us to pray for Kings, but he had commanded us to pray for the people before, *vers. 1.* But there are some for all that, both among Kings and common people, that we are forbidden to pray for; and if a man must not so much as be prayed for, may he not be punished? What should hinder? But, *when Paul wrote this Epistle, he that reigned was the most profligate person in the world.* That's

That's false. For *Lodovicus Capellus* makes it evident, that this Epistle likewise was writ in *Claudius* his time. When *St. Paul* has occasion to speak of *Nero*, he calls him not a King, but a *Lion*, that is, a wild, savage beast from whose Jaws he is glad he was delivered, *2 Tim. 4.* So that it is for Kings, not for beasts that we are to pray, *that under them we may live a quiet and a peaceable life, in all godliness and honesty.* Kings and their Interest are not the things here intended to be advanced and secured; 'tis the publick peace, Godliness and honesty, whose establishment we are commanded to endeavour after, and to pray for. But is there any people in the world that would not chuse rather to live an honest and a careful life, though never free from War and troubles, in the defence of themselves and their Families, whether against Tyrants or Enemies, (for I make no difference) than under the power of a Tyrant or an enemy to spin out a life equally troublesome, accompanied with Slavery and Ignominy? that the latter is the more desirable of the two, I'll prove by a Testimony of your own, not because I think your authority worth quoting, but that all men may observe how double-tongu'd you are, and how Mercenary your Pen is: 'Who would not rather, say you, bear with those dissensions that through the emulation of great men often happen in an Aristocratical Government, than live under the Tyrannical Government of one, where nothing but certain misery and ruin is to be look'd for? The people of Rome prefer'd their Commonwealth, though never so much shatter'd with Civil broils, before the intolerable yoke of their Emperours. When a people to avoid sedition, submits to a Monarchy, and finds by experience, that that is the worse evil of the

' the two, they often desire to return to their former
 ' Government again. These are your own words,
 and more you have to this purpose in that Discourse
 concerning Bishops, which under a feigned name you
 wrote against *Petavius* the *Jesuit*; though your self
 are more a *Jesuit* than he, nay worse than any of
 that Crew. We have already heard the sense of the
 Scripture upon this Subject; and it has been worth
 our while to take some pains to find it out. But
 perhaps it will not be so to enquire into the Judg-
 ments of the Fathers, and ransack their Volumes;
 for if they assert any thing which is not warranted
 by the word of God, we may safely reject their au-
 thority, be it never so great; and particularly that
 expression that you alledg out of *Irenæus*, that ' God
 ' in his Providence orders it so, that such Kings reign
 ' as are suitable to, and proper for the people they are
 ' to Govern, all Circumstances considered. That ex-
 pression, I say, is directly contrary to Scripture. For
 though God himself declared openly that it was bet-
 ter for his own people to be Governed by Judges
 than by Kings, yet he left it to them, to change that
 form of Government for a worse, if they would
 themselves. And we read frequently, that when the
 body of the people has been good, they have had a
 wicked King, and contrariwise that a good King has
 sometimes reign'd when the people have been wicked.
 So that wise and prudent men are to consider and see
 what is profitable and fit for the people in general;
 for it is very certain that the same form of Govern-
 ment is not equally convenient for all Nations, nor
 for the same Nation at all times; but sometimes one,
 sometimes another may be more proper, according as
 the industry and valour of the people may increase or
 decay. But if you deprive the people of this liberty of
 setting

setting up what Government they like best among themselves, you take that from them, in which the life of all Civil Liberty consists. Then you tell us of *Justin Martyr*, of his humble and submissive behaviour to the *Antonini*, those best of Emperours; as if any body would not do the like to Princes of such moderation as they were. "*How much worse Christians are we in these days, than they were? They were content to live under a Prince of another Religion.* Alas! They were private persons, and infinitely inferior to the contrary party in strength and number. But now Papists will not endure a protestant Prince, nor Protestants one that is Popish. You do well and discreetly, in showing your self to be neither Papist nor Protestant. And you are very liberal in your concessions; for now you confess that all sorts of Christians agree in thrt very thing, that you alone take upon you with so much impudence and wickedness, to cry down and oppose. And how unlike those Fathers that you commend, do ye show your self? They wrote Apologies for the Christians to Heathen Princes; you in defence of a wicked Popish King, against Christians and Protestants. Then you entertain us with a number of impertinent quotations out of *Atbenagoras* and *Tertullian*: Things that we have already heard out of the Writings of the Apostles, much more clearly and intelligibly exprest. But *Tertullian* was quite of a different opinion from yours, of a King's being a Lord and Master over his Subjects: Which you either knew not, or wickedly dessembled. For he, though he were a Christian, and directed his discourse to a Heathen Emperor, had the confidence to tell him, that an Emperor ought not to be called Lord. "*Augustus* himself, says he," that formed this Empire, refus'd this appellation: " 'Tis

" 'Tis a Title proper to God only. Not but that the Ti-
 " tle of Lord and Master may in some sense be ascribed
 " to the Emperor: But there is a peculiar sense of that
 " word, which is proper to God only; and in that
 " sense, I will not ascribe it to the Emperor. I am the
 " Emperor's free-man. God alone is my *Lord* and
 " *Master*. And the same Author, in the same Discourse;
 " how inconsistent, *says he*, are those two Appellations,
 " *Father* of his Countrey, and *Lord* and *Master*? And
 now I wish you much joy, of *Tertullian's* authority,
 whom it had been a great deal better you had let
 alone. But *Tertullian* calls them *Parricides* that slew
 Domitian. And he does well, for so they were, his
 Wife and Servants conspir'd against him. And they
 set one *Parthenius* and *Stephanus*, who were accus'd for
 concealing part of the publick Treasure, to make him
 away. If the Senate, and the people of *Rome* had
 proceeded against him, according to the custom of
 their Ancestors, had given Judgment of Death against
 him, as they did once against *Nero*, and had made
 search for him to put him to Death; do ye think *Tertul-*
lian would have called them *Parricides*? If he had, he
 would have deserv'd to be hang'd, as you do. I give
 the same answer to your quotation out of *Origen*, that
 I have given already, to what you have cited
 out of *Irenaeus*. *Athanasius* indeed says, that Kings
 are not accountable before humane Tribunals.
 But I wonder who told *Athanasius* this? I do not
 hear that he produceth any authority from *Scripture*,
 to confirm this assertion. And I'll rather believe
 Kings and Emperors themselves, who deny that they
 themselves have any such Priviledg, than I will *Atha-*
nasius. Then you quote *Ambrosius*, who after he had
 been a *Proconsul*, and after that became a *Catechumen*, at
 last got into a Bishoprick: But for his authority, I
 say,

say, that his Interpretation of those words of *David*, *against thee only have I sinned*, is both ignorant and adulatory. He was willing all others should be enthral'd to the Emperor, that he might enthrall the Emperor to himself. We all know with what a Papal pride and arrogance he treated *Theodosius* the Emperor, how he took upon him to declare him guilty of that Massacre at *Thessalonica*, and to forbid him coming into the Church; how miserably raw in Divinity, and unacquainted with the Doctrine of the Gospel, he shewed himself upon that occasion; When the Emperor fell down at his feet, he commanded him to get him out of the Porch. At last, when he was received again into the Communion of the Church, and had offered, because he continued standing near to the Altar, the Magisterial Prelate commanded him out of the rails; *O Emperor*, says he, *these inner places are for the Priests only, 'tis not lawful for others to come within them!* Does this sound like the behaviour of a Minister of the Gospel, or like that of a Jewish High-Priest? And yet, this man, such as we hear he was, would have the Emperor ride other people: that himself might ride him, which is a common trick of almost all Ecclesiasticks. With words to this purpose, he put back the Emperor as inferior to himself: *You rule over men*, said he, *that are partakers of the same Nature, and Fellow-servants with your self: For there is one only Lord and King over all, to wit, the Creator of all.* This is very pretty! This piece of truth, which the craft and flattery of Clergy-men has all along endeavoured to suppress and obscure, was then brought to light by the furious passion, or to speak more mildly, by the ignorant indiscreet zeal of one of them. After you have displai'd *Ambrose* his ignorance, you show your own, or rather, vent a *Heretic*, in affirming

ming point blank, That under the old Testament, there was no such thing as forgiveness of sins upon the account of Christ's sufferings, since David confess'd his transgression, saying, *Against thee only have I sinned*, P. 68. 'Tis the Orthodox tenet, that there never was any remission of sins, but by the blood of the Lamb that was slain from the beginning of the world. I know not whose Disciple you are, that set up for a broacher of new Heresies: but certain I am, that that great Divine's Disciple, whom you are so angry with, did not mistake himself, when he said that any one of *David's* Subjects might have said, *against thee only have I sinned*, as properly, and with as much right, as *David* himself. Then you quote *St. Augustine*, and produce a company of *Hipponensian* Divines. What you alledg out of *St. Austin*, makes not at all against us: We confess that, as the Prophet *Daniel* has it, it's God that changeth times, sets up one Kingdom, and pulls down another; we only desire to have it allow'd us, that he makes use of men as his Instruments. - If God alone gave a Kingdom to King *Charles*, God alone has taken it from him again, and given it to the Parliament, and to the People. If therefore our Allegiance was due to King *Charles*, because God had given him a Kingdom; for the same reason it is now due to the present Magistracy. For your self confess, that God has given our Magistrates such power as he useth to give to wicked Princes, for the punishment of the Nation. And the consequence of this will be, that according to your own opinion, our present Magistrates being rais'd and appointed by God, cannot lawfully be deposed by any, but God himself. Thus you overthrow the opinion you pretend to maintain, which is a thing very frequent with you: Your Apology for the King, carries it's death-wound in it.

You

You have attained to such a prodigious degree of Madnels and Stupidity, as to prove it unlawful upon any account whatsoever, to lift up ones finger against Magistrates, and with the very next breath, to affirm that it's the duty of their Subjects to rise up in Rebellion against them. You tell us that *St. Jerom* calls *Ismael* that slew *Gedalia*, a Parricide or Traytor: And it is very true, that he was so; For *Gedalia* was Deputy Governour of *Judea*, a good man, and slain by *Ismael* without any cause. The same Author in his Comment upon the Book of *Ecclesiastes*, says, that *Solomon's* command to keep the King's Commandment, is the same with *St. Paul's* Doctrine, upon the same subject; And deserves commendation for having made a more moderate Construction of that Text, than most of his Contemporaries. You say you will forbear enquiring into the Sentiments of Learned Men that lived since *St. Augustine's* time; but to shew that you had rather dispence with a lie, than not quote any Author that you think makes for you, in the very next period but one, you produce the Authorities of *Isidore*, *Gregory*, and *Otho*, *Spanish* and *Dutch* Authors, that liv'd in the most barbarous and ignorant ages of all; whose Authorities, if you knew how much we despise, you would not have told a lye to have quoted them. But, would you know the reason why he dares not come so low as to the present times? Why he does as it were hide himself, and disapear, when he comes towards our own times? The reason is, Because he knows full well, that as many Eminent Divines as there are of the Reformed Church, so many Adversaries he would have to encounter. Let him take up the Cudgels, if he thinks fit; he will quickly find himself run down with innumerable Authorities out of *Luiber*, *Zuinglius*, *Calvin*,

vin, *Bucer*, *Martyr*, *Paræus*, and the rest: I could oppose you with Testimonies out of Divines that have flourished even in *Leyden*. Though that famous University and Renowned Commonwealth, which has been as it were a Sanctuary for Liberty, those Fountains and Streams of all Polite Learning, have not yet been able to wash away that slavish rust that sticks to you, and infuse a little humanity into you. Finding your self destitute of any assistance or help from Orthodox Protestant Divines, you have the impudence to betake your self to the *Sorbonists*, whose Colledge you know is devoted to the *Romish* Religion, and consequently but of very weak authority amongst Protestants. We are willing to deliver so wicked an assertor of Tyranny as you, to be drown'd in the *Sorbon*, as being ashamed to own so despicable a slave, as you show your self to be, by maintaining that the whole body of a Nation is not equal in power to the most slothful, degenerate Prince that may be. You labour in vain to lay that upon the Pope, which all free Nations, and all Orthodox Divines own and assert. But the Pope and his Clergy, when they were in a low condition, and but of small account in the world, were the first Authors of this pernicious absurd Doctrine of yours; and when by preaching such Doctrine they had gotten power into their own hands, they became the worst of Tyrants themselves. Yet they engaged all Princes to themselves by the closest tie imaginable, perswading the world, that was now besotted with their Superstition, that it was unlawful to Depose Princes though never so bad, unless the Pope dispensed with their Allegiance to them, by absolving them from their Oaths. But you avoid Orthodox Writers, and endeavour to burden the truth with prejudice and calumny, by making the

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Pope

Pope the first assertor of what is a known and common received opinion amongst them; which if you did not do it cunningly, you would make your self appear to be neither Papist nor Protestant, but a kind of a Mongrel Idumean Herodian. For as they of old adored one most inhumane bloody Tyrant for the *Messias*, so you would have the world fall down and worship all. You boast that you have confirm'd your opinion by the Testimonies of the Fathers that flourished in the four first Centuries; whose Writings only are Evangelical, and according to the truth of the Christian Religion. This man is past all shame! how many things did they preach, how many things have they published, which Christ and his Apostles never taught? How many things are there in their Writings, in which all Protestant Divines differ from them? But what is that opinion that you have confirm'd by their Authorities? Why, that evil Princes are appointed by God. Allow that, as all other pernicious and destructive things are. What then? why, that therefore they have no Judge but God alone, that they are above all humane Laws, that there is no Law, written or unwritten, no Law of Nature, nor of God, to call them to account before their own subjects. But how comes that to pass? Certain I am, that there is no Law against it: No Penal Law excepts Kings. And all reason and justice requires, that those that offend, should be punished according to their deserts, without respect of persons. Nor have you hitherto produced any one Law, either written or unwritten, of God or of Nature, by which this is forbidden. What stands in the way then? why may not Kings be proceeded against? why, because they are appointed by God, he they never so bad. I do not know whether I had best call you a Knave, or a Fool, or ignorant, unbaptized Barbarian. You show your self a vile

vile wretch, by propagating a Doctrine so destructive and pernicious ; and y^e are a Fool for backing it with such silly arguments. God says in *Isa. 54.* *I have created the slayer to destroy.* Then by your reason a murderer is above the Laws. Turn this topsie turvy, and consider it as long as you will, you^l find the consequence to be the same with your own. For the Pope is appointed by God, just as Tyrants are, and set up for the punishment of the Church ; which I have already demonstrated out of your own Writings ; and yet, say you, *Wal. Mes. pag. 42.* *Because he has raised his Primacy to an insufferable height of power, so as that he has made it neither better nor worse than plain down-right Tyranny, both he and his Bishops may be put down more lawfully than they were at first set up.* You tell us that the Pope and the Bishops (though God in his wrath appointed them), may yet lawfully be rooted out of the Church, because they are Tyrants ; and yet you deny that 'tis lawful to depose a Tyrant in the Commonwealth, and that for no other reason than because God appointed him ; though he did it in his anger. What ridiculous stuff this is ! for whereas the Pope cannot hurt a man's Conscience against his own will, for in the Consciences of men it is that his Kingdom consists, yet you are for deposing him as a grievous Tyrant, in whose own power it is not, to be a Tyrant ; and yet you maintain that a Tyrant properly and truly so called, a Tyrant that has all our Lives and Estates within his reach, without whose assistance the Pope himself could not exercise his Tyranny in the Church, ought for Conscience sake to be born withal and submitted to. These assertions compar'd with one another betray your Childishness to that degree, that no man can read your Books, but must of necessity take notice of your ignorance, rashness, and incogitancy.

But you alledg another reason, *Humane affairs would be turn'd upside down.* They would so, and be chang'd for the better. Humane affairs would certainly be in a deplorable condition, if being once troubled and disorder'd, there were a necessity of their continuing always so. I say, they would be chang'd for the better ; for the Kings power would revert to the people, from whom it was first derived and conferred upon one of themselves ; and the power would be transferred from him that abused it , to them that were prejudiced and injured by the abuse of it ; than which nothing can be more just ; for there could not well be an *Umpire* in such a case ; who would stand to the judgment of a Foreigner ? all mankind would equally be subject to the Laws ; there would be no gods of flesh and blood. Which kind of Deities whoever goes about to set up in the world, they are equally injurious to Church and Commonweath. Now I must turn your own weapons-upon you again. You say, *There can be no greater Heresie than this, to set up one man in Christ's seat. These two are infallible marks of Antichrist, Infallibility in Spirituals, and Omnipotence in Temporals. Apparat. ad Prim. pag. 171.* Do you pretend that Kings are infallible ? If you do not, why do you make them Omnipotent ? And how comes it to pass that an unlimited power in one man should be accounted less destructive to Temporal things, than it is to Ecclesiastical ? Or do you think that God takes no care at all of Civil affairs ? If he takes none himself, I'm sure he does not forbid us to take care which way they go. If he does take any care about them, certainly he would have the same reformation made in the Commonwealth, that he would have made in the Church ; especially it being obvious to every mans experience that *Infallibility and Omnipotency* being

being arrogated to one man, are equally mischievous in both. God has not so modelled the Government of the World as to make it the duty of any Civil Community to submit to the Cruelties of Tyrants, and yet to leave the Church at liberty to free themselves from Slavery and Tyranny; nay, rather quite contrary, he has put no Arms into the Churches hand but those of Patience and Innocence, Prayer and Ecclesiastical Discipline; but the Commonwealth, all the Magistracy are by him entrusted with the preservation and execution of the Laws, with the power of punishing and revenging; he has put the Sword into their hands. I cannot but smile at this mans preposterous whimsies; in Ecclesiasticks he's *Helvidius*, *Thraseas*, a perfect *Tyrannicide*. In Politicks no man more a Lackey and Slave to Tyrants than he. If his Doctrine hold, not we only that have depos'd our King, but the Protestants in general, who against the minds of their Princes, have rejected the Pope, are all Rebels alike. But I've confounded him long enough with his own arguments. Such is the nature of the Beast: lest his adversary should be unprovided, he himself furnishes him with weapons. Never did any man give his Antagonist greater advantages against himself than he does. They that he has to do withal, will be sooner weary of pursuing him, than he of flying.

C H A P. IV.

PERHAPS you think, *Salmafius*, that you have done enough to ingratiate your self with Princes; that you have deserved well of 'em; but if they consider their own Interest, and take their measures according to what it really is, not according to the false Gloss that your flatteries have put upon it, there never was any man in the world that deserv'd so ill of 'em as you, none more destructive and pernicious to them and their interest in the whole world than your self. For by exalting the Power of Kings above all Humane Laws, you tell all mankind that are subject to such a Government, that they are no better than slaves, and make them but the more desirous of Liberty by discovering to them their error, and putting that into their heads that they never so much as dreamt of before, to wit, that they are slaves to their Princes. And without doubt such a sort of Government will be more irksome and unsufferable, by how much the more you perswade the world, that it is not by the allowance and submission of Nations, that Kings have obtained this exorbitant power, but that it is absolutely essential to such a form of Government, and of the nature of the thing it self. So that whether you make the world of your mind, or no, your Doctrine must needs be mischievous and destructive, and such as cannot but be abhorred of all Princes. For if you should work men into a perswasion that the Right of Kings is without all bounds, they would no longer be subject to a Kingly Government; if you miss of your aim, yet you make men weary of Kings, by telling them that they assume such a power to themselves,

selves, as of right belonging to them. But if Princes will allow of those Principles that I assert; if they will suffer themselves and their own power to be circumscribed by Laws, instead of an uncertain, weak and violent Government, full of cares and fears, they will reign peaceably, quietly, and securely. If they slight this counsel of mine, though wholesome in its self, because of the meanness of the Author, they shall know that it is not my counsel only, but what was anciently advised by one of the wisest of Kings. For *Lycargus* King of *Lacedemon*, when he observed that his own Relations that were Princes of *Argos* and *Messana*, by endeavouring to introduce an Arbitrary Government, had ruin'd themselves and their people; he, that he might benefit his Countrey, and secure the Succession to his own Family, could think upon no better expedient, than to communicate his Power to the Senate, and taking the great men of the Realm into part of the Government with himself; and by this means the Crown continued in his Family for many ages: But whether it was *Lycargus*, or, as some learned men are of opinion, *Theopompus*, that introduced that mixt form of Government among the *Lacedemonians*, somewhat more than a hundred years after *Lycargus* his time, (of whom it is recorded, That he used to boast, that by advancing the Power of the Senate above that of the Prince, he had settled the Kingdom upon a sure Foundation, and was like to leave it in a lasting and durable condition to his Posterity); which of them soever it was, I say, he has left a good Example to Modern Princes; and was as creditable a Councillor, as his Counsel was safe: For that all men should submit to any one man, so as to acknowledge a Power in him superior to all humane Laws, neither did any Law ever Enact,

nor indeed was it possible that any such Law should ever be ; for that cannot be said to be a Law, that strikes at the root of all Laws, and takes them quite away. It being apparent that your Positions are inconsistent with the nature of all Laws, being such as render them no Laws at all. You endeavour notwithstanding, in this Fourth Chapter, to make good by Examples, what you have not yet been able to do by any Reasons that you have alledged as yet. Let's consider whether your Examples help your Cause ; for they many times make things plain, which the Laws are either altogether silent in, or do but hint at. We'll begin first with the *Jews*, whom we suppose to have known most of the mind of God ; and then, according to your own method, we'll come to the times of Christianity. And first, for those times in which the *Israelites* being subject to Kings, who, or howsoever they were, did their utmost to cast that slavish yoke from off their necks. *Eglon* the King of *Moab* had made a Conquest of them ; the Seat of his Empire was at *Jericho* ; he was no contemner of the True God ; when his Name was mentioned, he rose from his Seat : The *Israelites* had served him Eighteen Years ; they sent a present to him, not as to an Enemy, but to their own Prince ; notwithstanding which outward Veneration and Profession of Subjection, they kill him by a wile, as an Enemy to their Country. You'll say perhaps, that *Ehud*, who did that action, had a Warrant from God for so doing. He had so, 'tis like ; and what greater Argument of its being a warrantable and praise-worthy action ? God useth not to put men upon things that are unjust, treacherous and cruel, but upon such things as are virtuous and laudable. But we read no where that there was any positive Command from Heaven in

in the case. *The Israelites called upon God*; So did we: And God stirred up a Saviour for them; so he did for us: *Eglon* of a Neighbouring Prince became a Prince of the *Jews*; of an Enemy to them he became their King: Our Gentleman, of an *English* King became an Enemy to the *English* Nation; so that he ceas'd to be a King: Those Capacities are inconsistent: No man can be a Member of a State, and an Enemy to it at the same time. *Antony* was never lookt upon by the *Romans* as a Consul, nor *Nero* as an Emperor, after the Senate had voted them both Enemies. This *Cicero* tells us in his *Fourth Philippick*: If *Antony* be a Consul, says he, *Brutus* is an Enemy; but if *Brutus* be a Saviour and Preserver of the Commonwealth, *Antony* is an Enemy: none but robbers count him a Consul. By the same reason, say I, who but Enemies to their Countrey look upon a Tyrant as a King? So that *Eglon's* being a Foreigner, and King *Charles* a Prince of our own, will make no difference in the case; both being Enemies, and both Tyrants, they are in the same circumstances. If *Ehud* kill'd him justly, we have done so too in putting our King to Death. *Sampson* that Renowned Champion of the *Hebrews*, tho his Countrey-men blam'd him for it, Dost thou not know, say they, that the *Philistines* have dominion over us? yet against those *Philistines*, under whose Dominion he was, he himself undertook a War in his own person, without any other help; and whether he acted in pursuance of a Command from Heaven, or was prompted by his own Valour only; or whatever inducement soever he had, he did not put to death one, but many that tyrannized over his Countrey, having first called upon God by Prayer, and implored his Assistance: So that *Sampson* counted it no act of Impiety, but quite contrary, to kill

kill those that enslaved his Countrey, tho they had dominion over himself too; and tho the greater part of his Countrey-men submitted to their Tyranny. But yet David *who was both a King and a Prophet, would not take away Saul's life, because he was God's Anointed.* Does it follow that because David refused to do a thing, therefore we are obliged not to do that very thing? David was a private person, and would not kill the King; is that a precedent for a Parliament, for a whole Nation? David would not revenge his own quarrel, by putting his Enemy to death by stealth; does it follow that therefore the Magistrates must not punish a Malefactor according to Law? He would not kill a King; must not an Assembly of the States therefore punish a Tyrant? He scrupled the killing of God's Anointed; must the People therefore scruple to condemn their own Anointed? Especially one that after having so long professed Hostility against his own people, had wash'd off that anointing of his, whether Sacred or Civil, with the Blood of his own Subjects. I confess that those Kings whom God by his Prophets anointed to be Kings, or appointed to some special service, as he did Cyrus, *Isa. 44.* may not improperly be called the *Lord's Anointed*; but all other Princes, according to the several ways of their coming to the Government, are the People's Anointed, or the Army's, or many times the Anointed of their own Faction only. But taking it for granted, That all Kings are God's Anointed, you can never prove, That therefore they are above all Laws, and not to be called in question, what Villanies soever they commit. What if David laid a charge upon himself and other private persons not to stretch forth their hands against the Lord's Anointed? Does not God himself command Princes not so much as to touch

touch his anointed? Which were no other than his people, *Psal.* 105. He preferred that Anointing wherewith his People were Anointed, before that of Kings, if any such thing were. Would any man offer to infer from this place of the *Psalmist*, That Believers are not to be called in question, tho they offend against the Laws, because God commands Princes not to touch his Anointed? King *Solomon* was about to put to death *Abiathar* the Priest, tho he were *God's Anointed* too; and did not spare him because of his *Anointing*, but because he had been his Father's Friend. If that Sacred and Civil Anointing, wherewith the High-Priest of the *Jews* was anointed, whereby he was not only constituted High-Priest, but a Temporal Magistrate in many cases, did not exempt him from the Penalty of the Laws, how comes a Civil Anointing only to exempt a Tyrant? But you say, *Saul was a Tyrant, and worthy of death*: What then? It does not follow, that because he deserved it, that *David* in the circumstances he was then under, had power to put him to death without the People's Authority, or the command of the Magistracy. But was *Saul* a Tyrant? I wish you would say so; indeed you do so, though you had said before in your *Second Book*, page 32. That he was no Tyrant, but a good King, and chosen of God. Why should false Accusers, and Men guilty of Forgery be branded, and you escape without the like ignominious Mark? For they practice their Villanies with less Treachery and Deceit than you write, and Treat of matters of the greatest moment. *Saul* was a good King, when it serv'd your turn to have him so, and now he's a Tyrant, because it suits with your present purpose. But 'tis no wonder that you make a Tyrant of a good King; for your Principles look

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as if they were invented for no other design, than to make all good Kings so. But yet *David*, tho he would not put to Death his Father-in-Law, for Causes and Reasons that we have nothing to do withal, yet in his own Defence he raised an Army, took and possessed Cities that belong'd to *Saul*, and would have defended *Keilah* against the King's Forces, had he not understood that the Citizens would be false to him. Suppose *Saul* had besieged the Town, and himself had been the first that had scal'd the Walls; do you think *David* would presently have thrown down his Arms, and have betray'd all those that assisted him to his *anointed* Enemy? I believe not. What reason have we to think *David* would have stuck to do what we have done, who when his Occasions and Circumstances so required, proffered his Assistance to the *Philistines*; who were then the professed Enemies of his Country, and did that against *Saul*, which I am sure we should never have done against our Tyrant. I'm weary of mentioning your Lies, and asham'd of them. You say, 'tis a Maxim of the *English*, *That Enemies are rather to be spared than Friends*; and that therefore *we conceived we ought not to spare our King's Life, because he had been our Friend*. You impudent Lyar, what Mortal ever heard this Whimsy before you invented it? But we'll excuse it. You could not bring in that threadbare Flourish, of our being more fierce than our own Mastiffs (which now comes in the fifth time, and will as oft again before we come to the end of your Book) without some such Introduction. We are not so much more fierce than our own Mastiffs, as you are more hungry than any Dog whatsoever, who return so greedily to what you have vomitted up so often. Then you tell us, That *David* commanded the *Ama-*
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Ishbore to be put to Death, who pretended to have killed *Saul*. But that Instance, neither in respect of the Fact, nor the Person, has any Affinity with what we are discoursing of. I do not well understand what cause *David* had to be so severe upon that Man, for pretending to have hastened the King's Death, and in effect but to have put him out of his pain, when he was dying; unless it were to take away from the *Israelites* all Suspicion of his own having been instrumental in it, whom they might look upon as one that had revolted to the *Philistines*, and was part of their Army. Just such another Action as this of *David's*, do all Men blame in *Domitian*, who put to Death *Epaphroditus*, because he had helped *Nero* to kill himself. After all this, as another instance of your Impudence, you call him not only the *anointed of the Lord*, but *the Lord's Christ*, who a little before you had said was a Tyrant, and acted by the impulse of some Evil Spirit. Such mean thoughts you have of that Reverend Name, that you are not ashamed to give it to a Tyrant, whom you your self confess to have been possessed with the Devil. Now I come to that President, from which every Man that is not blind must needs infer the Right of the People to be Superior to that of Kings. When *Solomon* was dead, the People Assembled themselves at *Sichem* to make *Rehoboam* King. Thither himself went, as one that stood for the place, that he might not seem to claim the Succession as his Inheritance; the same Right over a freeborn People, that every Man has over his Fathers Sheep and Oxen. The People propose Conditions, upon which they were willing to admit him to the Government. He desires three days time to advise; he consults with the old Men; they tell him no such thing, as that he had an absolute

absolute Right to succeed, but persuade him to comply with the People, and speak them fair, it being in their Power whether he should Reign or not. Then he adviseth with the young Men that were brought up with him; they, as if *Salmasius's* Phrensy had taken them, thunder this Right of Kings into his Ears; persuade him to threaten the People with *Whips* and *Scorpions*: And he answered the People as they advised him. When all *Israel* saw that the King hearkned not to them, then they openly protest the Right of the People, and their own Liberty; *What portion have we in David? To thy tents, O Israel: now look to thine own house, David.* When the King sent *Adoram* to them, they stoned him with Stones, and perhaps they would not have stuck to have serv'd the King himself so, but he made haste and got out of the way. The next News is of a great Army rais'd by *Rehoboam* to reduce the *Israelites* to their Allegiance. God forbids him to proceed, *Go not up, says he, to war against your brethren the children of Israel; for this thing is of me.* Now consider; heretofore the People had desired a King; God was displeased with them for it, but yet permitted them to make a King, according to that Right that all Nations have to appoint their own Governors. Now the People reject *Rehoboam* from ruling them; and this God not only suffers them to do, but forbids *Rehoboam* to make War against them for it, and stops him in his undertaking; and teaches him withal, that those that had Revolted from him, were not Rebels in so doing; but that he ought to look upon them as Brethren. Now recollect your self: You say that all Kings are of God, and that therefore the People ought not to resist them, be they never such Tyrants. I answer you, The Convention of

of the People, their Votes, their Acts, are likewise of God; and that by the Testimony of God himself in this place; and consequently according to your Argument, by the Authority of God himself, Princes ought not to resist the People. For as certain as it is, that Kings are of God; and whatever Argument you may draw from thence to enforce a Subjection and Obedience to them: So certain is it, that free Assemblies of the Body of the People, are of God, and that naturally affords the same Argument for their Right of restraining Princes from going beyond their Bounds, and rejecting them if there be occasion; nor is their so doing a justifiable Cause of War, any more than the People of *Israel's* rejecting *Reboham* was. You ask, why the People did not revolt from *Solomon*? Who but you would ask such an impertinent Question? You see they did revolt from a Tyrant, and were neither punished, nor blam'd for it. It is true, *Solomon* fell into some Vices, but he was not therefore a Tyrant; he made amends for his Vices by many excellent Virtues that he was famous for, by many Benefits which accrued to the Nation of the *Jews* by his Government. - But admit that he had been a Tyrant: Many times the Circumstances of a Nation are such, that the People will not, and many times such, that they cannot depose a Tyrant. You see they did it when it was in their Power. But, say you, *Jeroboam's* Act was ever had in Detestation; 'twas looked upon as an unjust revolt from a lawful Prince; he and his Successors were accounted Rebels. I confess we find his Revolt from the true Worship of God often found fault with; but I no where find him blam'd for revoking from *Reboham*; and his Successors are frequently spoken of as wicked Princes, but not as Rebels. *Acting contrary to Law and Right,*
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say you, cannot introduce, or establish a Right: I pray, what becomes then of your Right of Kings? Thus do you perpetually baffle your self. You say, *Adulteries, Murders, Thefts are daily committed with impunity.* Are you not aware, that here you give an Answer to your own Question, how it comes to pass, that Tyrants do so often escape unpunished? You say, *Those Kings were Rebels, and yet the Prophets do no where dissuade the People from their Allegiance.* And why do you, ye Rascally false Prophet, endeavour to persuade the People of England not to yield Obedience to their present Magistrates, tho in your Opinion they are Rebels. *This English Faction of Robbers, say you, alledge for themselves, that by some immediate Voice from Heaven, they were put upon their bloody Enterprize.* It is notoriously evident, that you were distracted when you wrote these Lines; for as you have put the words together, they are neither Latin, nor Sense. And that the English pretend to any such warrant, as a Justification of their Actions, is one of those many Lies and Fictions that your Book is full of. But I proceed to urge you with Examples. *Libna*, a great City revolted from *Jorom*, because he had forsaken God; 'twas the King therefore that was guilty, not the City, nor is the City blam'd for it. He that considers the reason that's given why that City rejected his Government, must conclude that the Holy Ghost rather approves of what they did, then condemns them for it. *These kind of revolts are no presidents,* say you. But why were you then so vain, as to promise in the beginning of this Chapter, that you would argue from Examples, whereas all the Examples that you alledg, are mere Negatives, which prove nothing; and when we urge Examples that are solid and positive, you say they are no Presidents: Who would en-
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dure such a way of Arguing? You challenged us at Presidents; we produced them; and what do you do? You hang back, and get out of the way. I proceed: *Jehu* at the Command of a Prophet, slew a King; nay, he ordered the Death of *Abaziah*, his own Liege Prince. If God would not have Tyrants put to Death by their own Subjects, if it were a wicked thing so to do, a thing of a bad Example; why did God himself command it? If he commanded it, it was a lawful, commendable, and a praiseworthy Action. It was not therefore lawful to kill a Tyrant, because God commanded it, but God commanded it, because antecedently to his Command, it was a justifiable, and a lawful Action. Again, *Jehoiada* the High Priest did not scruple to depose *Athaliah*, and kill her, tho she had been seven years in actual Possession of the Crown. But, say you, *she took upon her the Government when she had no Right to it*. And did not you say your self, but a while ago, *That Tiberius assumed the Sovereignty when it belonged not at all to him*. And yet you then affirm'd, that according to our Saviour's Doctrine, we ought to yield Obedience to such Tyrants as he was; 'twere a most ridiculous thing to imagine, that a Prince, who gets in by Usurpation, may lawfully be deposed; but one that Rules tyrannically may not. But, say you, *Athaliah* could not possibly Reign according to the Law of the Jewish Kingdom, *Thou shalt set over thee a King*, says God Almighty; he does not say, *Thou shalt set over thee a Queen*. If this Argument have any weight, I may as well say, The Command of God was, that the People should set over themselves a King, not a Tyrant. So that I'm even with you. *Amaziah* was a Slothful, Idolatrous Prince, and was put to Death, not by a few Conspirators; but rather,

it should seem, by the the Nobility, and by the Body of the People. For he fled from *Jerusalem*, had none to stand by him, and they pursued him to *Lochish*: They took Counsel against him, says the History, because he had forsaken God: And we do not find that *Azarias* his Son prosecuted those that had cut off his Father. You quote a great many frivolous passages out of the *Rabbins* to prove, that the Kings of the *Jews* were Superior to the *Sanhedrim*. You do not consider *Zedekia's* own words, *Jerem.* 38. *The King is not he that can do any thing against you.* So that this was the Princes own file. Thus he confessed himself Inferior to the great Council of the Realm. Perhaps, say you, he meant that he durst not deny them any thing for fear of Sedition. But what does your perhaps signify, whose most positive asserting any thing is not worth a Louse? For nothing in Nature can be more Fickle and Inconstant than you are. How oft have you appear'd in this Discourse inconsistent with your self; unsaying with one Breath what you had said with another? Here, again, you make Comparisons betwixt King *Charles*, and some of the good Kings of *Judah*. You speak contemptibly of *David*, as if he were not worthy to come in Competition with him. Consider *David*, say you, *an Adulterer, a Murderer*; King *Charles* was guilty of no such Crimes. *Solomon* his Son, who was accounted wise, &c. Who can with Patience hear this filthy, rascally Fool, speak so irreverently of Persons eminent both in Greatness and Piety? Dare you compare King *David* with King *Charles*; a most Religious King and Prophet, with a Superstitious Prince, and who was but a Novice in the Christian Religion; a most prudent, wise Prince with a weak one; a Valiant Prince with a Cowardly one; finally, a most just Prince with a most unjust one?

one? Have you the impudence to commend his Chastity and Sobriety, who is known to have committed all manner of Leudness in company with his Confident the Duke of *Buckingham*? It were to no purpose to enquire into the private Actions of his Life, who publickly at Plays would Embrace and Kiss the Ladies lasciviously, and handle Virgins and Matrons Breasts, not to mention the rest? I advise you therefore, you Counterfeit *Plutarch*, to abstain from such like Parallels, lest I be forced to publish those things concerning King *Charles*, which I am willing to conceal. Hitherto we have entertain'd our selves with what the People of the *Jews* have acted or attempted against Tyrants, and by what Right they did it in those times, when God himself did immediately, as it were, by his Voice from Heaven govern their Commonwealth. The Ages that succeeded, do not afford us any Authority, as from themselves, but confirm us in our Opinion by their imitating the Actions of their Fore-fathers. For after the *Babylonish* Captivity, when God did not give any new command concerning the Crown, tho the Royal Line was not extinct, we find the People returning to the old Mosaical Form of Government again. They were one while Tributaries to *Antiochus*, King of *Syria*; yet when he injoyn'd them things that were contrary to the Law of God, they resisted him, and his Deputies, under the Conduct of their Priests, the *Maccabees*, and by force regain'd their former Liberty. After that, whoever was accounted most worthy of it, had the Principality conferr'd upon him. Till at last, *Hircanus* the Son of *Simon*, the Brother of *Judas*, the *Maccabee*, having spoiled *David's* Sepulchre, entertain'd foreign Soldiers, and began to Invest the Priesthood with a kind of Regal

Power. After whose time his Son *Aristobolus* was the first that assum'd the Crown; he was a Tyrant indeed; and yet the People stirred not against him; which is no great Wonder, for he reigned but one year. And he himself being overtaken with a grievous Disease, and repenting of his own Cruelty and Wickedness, desired nothing more than to dye, and had his wish. His Brother *Alexander* succeeded him; and against him, you say, the People raised no Insurrection; tho he were a Tyrant too. And this lie might have gone down with us, if *Josephus's* History had not been extant. We should then have had no memory of those times, but what your *Josippus* would afford us; out of whom you transcribe a few senseless and useless Apothegms of the *Pharisees*. The History is thus; *Alexander* Administred the Publick Affairs ill, both in War and Peace; and tho he kept in pay great numbers of *Pisidians* and *Cilicians*, yet could he not protect himself from the Rage of the People; but whilst he was Sacrificing they fell upon him, and had almost smother'd him with Boughs of Palm-trees and Citron-trees; afterward the whole Nation made War upon him six years, during which time, when many thousands of the *Jews* had been slain, and he himself being at length desirous of Peace, demanded of them, what they would have him do to satisfy them; they told him nothing could do that, but his Blood; nay, that they should hardly pardon him after his Death. This History you perceiv'd was not for your purpose, and so you put it off with a few Pharisaical Sentences; when it had been much better, either to have let it quite alone, or to have given a true Relation of it; but you trust to Lies more than to the Truth of your Cause. Even those eight hundred *Pharisees*, whom he commanded to

to be crucified; were of their number that had taken up Arms against him. And they with the rest of the People had solemnly protested, That if they could subdue the Kings Forces, and get his Person into their Power, they would put him to Death. After the Death of *Alexander*, his Wife *Alexandra* took the Government upon her, as *Athalia* had formerly done, not according to Law, for you have confessed, that the Laws of the *Jews* admitted not a Female to wear the Crown; but she got it partly by force, for she maintain'd an Army of Foreigners; and partly by favour, for she had brought over the *Pharisees* to her Interest, which sort of Men were of the greatest Authority with the People. Them she had made her own, by putting the Power into their Hands, and retaining to her self only the Name. Just as the *Scotch* Presbyterians lately allowed *Charles* the Name of King, but upon Condition, that he would let them be King in effect. After the Death of *Alexandra*, *Hyrcanus* and *Aristobulus*, her Sons, contended for the Sovereignty: *Aristobulus* was more industrious, and having a greater Party, forced his Elder Brother out of the Kingdom. A while after, when *Pompey* passed through *Syria*, in his return from the *Mithridatick* War; the *Jews*, supposing they had now an opportunity of regaining their Liberty, by referring their Cause to him, dispatcht an Embassy to him in their own Names: they renounce both the Brothers; complain that they had enslaved them. *Pompey* deposed *Aristobulus*, leaves the Priesthood, and such a Principality as the Laws allowed, to *Hyrcanus* the Elder. From that time forward, he was called High Priest, and *Ethnarcha*. After these times in the Reign of *Archelaus*, the Son of *Herod*, the *Jews* sent fifty Ambassadors to *Augustus* Caesar, accused *Herod* that

that was dead, and *Archelaus* his Son, that then Reign'd; they depos'd him as much as in them lay, and petition'd the Emperor, that the People of the *Jews* might be govern'd without a King. *Cesar* was moved at their entreaty, and did not appoint a King over them, but a Governour, whom they called an *Ethnarch*. When that Governor had presided ten years over *Judea*, the People sent Ambassadors again to *Rome*, and accused him of Tyranny. *Cesar* heard them graciously; sent for the Governour, condemn'd him to perpetual Exile, and banish'd him to *Vienna*. Answer me now, — That People that accused their own Princes, that desir'd their Condemnation, that desir'd their Punishment, would not they themselves; rather, if it had been in their Power, and that they might have had their choice; would not they, I say, rather have put them to Death themselves? You do not deny, but that the People, and the Nobles often took up Arms against the *Roman* Deputies, when by their Avarice, or their Cruelty, their Government was burdensome and oppressive. But you give a ridiculous reason for this, as all the rest of yours are. You say, *They were not yet accustomed to the Yoke*; very like they were not, under *Alexander*, *Herod*, and his Son. But, say you, *they would not raise War against Caius Cesar, nor Petronius*. I confess they did not, and they did very prudently in abstaining, for they were not able. Will you hear their own words upon that occasion? *We will not make War*, say they, *because we cannot*. That thing which they themselves acknowledge, they refrain'd from for want of Ability; you, false Hypocrite, pretend they abstain'd from out of Religion. Then with a great deal of toil you do just nothing at all; for you endeavour to prove out of the Fathers (tho you had done it as superficially before) that

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Kings are to be prayed for. That good Kings are to be pray'd for, no Man denies; nay, and bad ones too, as long as there are any hopes of them; so we ought to pray for Highway-men, and for our Enemies. But how? Not that they may Plunder, Spoil and Murder us; but that they may repent. We pray both for Thieves and Enemies; and yet whoever dreamt but that it was lawful to put the Laws in execution against one, and to fight against the other? I value not the *Egyptian* Liturgy that you quote; but the Priest that you mention, who prayed that *Commodus* might succeed his Father in the Empire, did not pray for any thing in my opinion, but Imprecated all the mischiefs imaginable to the *Roman* State. You say, *that we have broken our faith, which we engaged more than once in solemn Assemblies to preserve the Authority and Majesty of the King.* But because hereafter you are more large upon that subject, I shall pass it by in this place; and talk with you when you come to it again. You return then to the Fathers; concerning whom take this in short. Whatever they say, which is not warranted by the Authority of the Scriptures, or by good reason, shall be of no more regard with me, than if any other ordinary man had said it. The first that you quote is *Tertullian*, who is no Orthodox Writer, notorious for many errors, whose authority, if he were of your opinion, would stand you in no stead. But what says he? he condemns Tumults and Rebellions. So do we. But in saying so, we do not mean to destroy all the peoples Rights and Priviledges, all the Authority of Senates, the Power of all Magistrates, the King only excepted; The Fathers declaim against Seditious rashly raised, by the giddy heat of the multitude; they speak not of the inferior Magistrates, of Senates, of Parliaments

ments encouraging the people to a lawful opposing of a Tyrant. Hence *Ambrose* whom you quote, 'Not to resist, *says he*, but to weep and to sigh, these are the Bulwarks of the Priesthood ; what one is there of our little number who dares say to the Emperor, 'I do not like your Laws ? This is not allowed the Priests, and shall Lay-men pretend to it ? 'Tis evident of what sort of persons he speaks, *viz.* of the Priests, and such of the people as are private men, not of the Magistrates. You see by how weak and preposterous a reason he lighted a Torch as it were to the dissentions that were afterwards to arise betwixt the Laity and the Clergy concerning even Civil, *i.e.* Temporal Laws. But because you think you press hardest upon us with the Examples of the Primitive Christians ; who though they were harassed as much as a people could be, yet, you say, *they never took up Arms against the Emperour* : I will make it appear, in the first place, that for the most part they could not : Secondly, that whenever they could, they did : And thirdly, that whether they did or did not, they were such a sort of people as that their example deserves but to have little sway with us. First therefore, no man can be ignorant of this, that when the Commonwealth of *Rome* expired, the whole and Sovereign power in the Empire was settled in the Emperour ; that all the Soldiers were under his Pay ; in so much that if the whole Body of the Senate, the *Equestrian* order, and all the common people had endeavoured to work a change, they might have made way for a Massacre of themselves, but could not in any probability retrieve their lost Liberty ; for the Empire would still have continued, though they might perhaps have been so lucky as to have kill'd the Emperour. This being so, what could the Christians do ?

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'tis true there were a great many of them ; but they were dispersed, they were generally persons of mean quality, and but of small interest in the world. How many of them would one Legion have been able to keep in awe ? Could so inconsiderable a body of men as they were in those days, ever expect to accomplish an Enterprize that many famous Generals, and whole Armies of tried Soldiers had lost their lives in attempting ? when about three hundred years after our Saviour's Nativity, which was near upon twenty years before the Reign of *Constantine* the Great, when *Dioclesian* was Emperour, there was but one Christian Legion in the whole *Roman* Empire ; which Legion for no other reason than because it consisted of Christians, was slain by the rest of the Army at a Town in *France* called *Oclodurum*. The Christians, say you, conspir'd not with *Cassius*, with *Albinus*, with *Niger* ; and does *Tertullian* think they merited by not being willing to lose their lives in the quarrels of Infidels ? 'Tis evident therefore that the Christians could not free themselves from the yoke of the *Roman* Emperours ; and it could be no ways advantagious to their interest to conspire with Infidels, as long as Heathen Emperors reign'd. But that afterwards the Christians made War upon Tyrants, and defended themselves by force of Arms when there was occasion, and many times revenged upon Tyrants their Enormities, I am now about to make appear. In the first place, *Constantine* being a Christian, made War upon *Licinius*, and cut him off, who was his Partner in the Sovereign Power, because he molested the *Eastern* Christians ; by which act of his he declared thus much at least, That, one Magistrate might punish another ; for he for his Subjects sake punished *Licinius*, who to all intents was as absolute in the Empire as himself, and did not leave the

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vengeance to God alone : *Licinius* might have done the same to *Constantine*, if there had been the like occasion. So then, if the matter be not wholly reserved to Gods own Tribunal, but that men have something to do in the case, why did not the Parliament of *England* stand in the same relation to King *Charles*, that *Constantine* did to *Licinius* ? The Soldiers made *Constantine* what he was. But our Laws have made our Parliaments equal, nay, superior to our Kings. The Inhabitants of *Constantinople* resisted *Constantius* an *Arian* Emperour, by force of Arms, as long as they were able ; they opposed *Hermogenes* whom he had sent with a Military power to depose *Paul* an Orthodox Bishop ; the house whither he had betaken himself for security, they fired about his ears, and at last killed him right out. *Constans* threatned to make War upon his Brother *Constantius*, unless he would restore *Paul* and *Athanasius* to their Bishopricks. You see those holy Fathers, when their Bishopricks were in danger, were not ashamed to stir up their Prince's own Brother to make War upon him. Not long after, the Christian Soldiers, who then made whom they would Emperors, put to death *Constans* the Son of *Constantinus*, because he behaved himself dissolutely and proudly in the Government, and Translated the Empire to *Magnentius*. Nay, those very persons that saluted *Julian* by the name of Emperour, against *Constantius* his will, who was actually in possession of the Empire, (for *Julian* was not then an Apostate, but a vertuous and valiant person) are they not amongst the number of those Primitive Christians, whose Example you propose to us for our imitation ? which action of theirs, when *Constantius* by his Letters to the people very sharply and earnestly forbad, (which Letters were openly read to them) they all cried out unani-

unanimously, That themselves had but done what the Provincial Magistrates, the Army, and the Authority of the Commonwealth had decreed. The same persons declared War against *Constantius*, and contributed as much as in them lay, to deprive him both of his Government and his Life. How did the Inhabitants of *Antioch* behave themselves, who were none of the worst sort of Christians ? I'll warrant you they prayed for *Julian*, after he became an Apostate, whom they used to rail at in his own presence, and scoffing at his long Beard, bid him make Ropes of it : Upon the news of whose death they gave publick Thanksgivings, made Feasts, and gave other publick Demonstrations of Joy ; do you think they used when he was alive to pray for the continuance of his life and health ? Nay, is it not reported, that a Christian Soldier in his own Army was the Author of his Death ? *Sozomen*, a Writer of the Ecclesiastical History, does not deny it, but commends him that did it, if the fact were so ; ' For it is no wonder, *says he*, that some of his own Soldiers might think within himself, that not only the *Greeks*, but all Mankind hitherto had agreed that it was a commendable action to kill a Tyrant ; and that they deserve all mens praise, who are willing to die themselves to procure the liberty of all others ; so that that Soldier ought not rashly to be condemned, who in the cause of God and of Religion, was so zealous and valiant. These are the words of *Sozomen*, a good and Religious man of that age ; by which we may easily apprehend what the general opinion of pious men in those days was upon this point. *Ambrose* himself being commanded by the Emperour *Valentinian* the Younger, to depart from *Milan*, refused to obey him, but defended himself and the Palace by force of Arms against the Emperour's Officers, and

and took upon him contrary to his own Doctrine, to resist the higher powers. There was a great sedition raised at *Constantinople* against the Emperour *Areadius*, more than once, by reason of *Chrysostom's* Exile. Hitherto I have shewn how the Primitive Christians behaved themselves towards Tyrants ; how not only the Christian Soldiers, and the people, but the Fathers of the Church, themselves, have both made War upon them, and opposed them with force, and all this before *St. Austin's* time; for you your self are pleased to go down no lower ; and therefore-I make no mention of *Valentinian* the Son of *Placidia*, who was slain by *Maximus* a Senator, for committing Adultery with his Wife ; nor do I mention *Avitus* the Emperour, whom, because he disbanded the Soldiers, and betook himself wholly to a luxurious life, the *Roman* Senate immediately deposed ; because these things came to pass some years after *St. Austin's* death: But all this I give you : Suppose I had not mentioned the practice of the Primitive Christians ; suppose they never had stirred in opposition to Tyrants ; suppose they had accounted it unlawful so do ; I will make it appear that they were not such persons, as that we ought to rely upon their Authority, or can safely follow their Example. Long before *Constantine's* time the generality of Christians had lost much of the Primitive Sanctity and integrity both of their Doctrine and Manners. Afterwards, when he had vastly enriched the Church, they began to fall in love with Honour and Civil Power, and then the Christian Religion went to wrack. First Luxury and Sloth, and then a great drove of Heresies and Immoralities broke loose among them ; and these begot Envy, Hatred and Discord ; which abounded every where: At last, they that were linked together into one Brotherhood by that holy

holy band of Religion, were as much at variance and strife amongst themselves, as the most bitter Enemies in the world could be: No reverence for, no consideration of their duty was left amongst them; the Soldiers and Commanders of the Army, as oft as they pleased themselves, created new *Emperors*, and sometimes killed good ones as well as bad. I need not mention such as *Verannio*, *Maximus*, *Eugenius*, whom the Soldiers all on a sudden advanced and made them Emperors; nor *Gratian*, an excellent Prince; nor *Valentinian* the younger, who was none of the worst, and yet were put to death by them. It is true, these things were acted by the Soldiers, and Soldiers in the field; but those Soldiers were Christians, and lived in that Age which you call Evangelical, and whose example you propose to us for our imitation. Now you shall hear how the Clergy managed themselves: Pastors and Bishops, and sometimes those very Fathers whom we admire and extol to so high a degree, every one of whom was a Leader of their several Flocks; those very men, I say, fought for their Bishopricks, as Tyrants did for their Sovereignty; sometimes throughout the City, sometimes in the very Churches, sometimes at the Altar, Clergy-men and Lay-men fought promiscuously; they slew one another, and great slaughters were made on both sides. You may remember *Damasus* and *Ursicinus*, who were Contemporaries with *Ambrose*. It would be too long to relate the Tumultuary Insurrections of the Inhabitants of *Constantinople*, *Antioch*, and *Alexandria*, especially those under the Conduct and Management of *Cyrillus*, whom you extol as a Preacher up of Obedience; when the Monks in that fight within the City, had almost slain *Orestes*, *Theodosius's* Deputy. Now who can sufficiently wonder at your Impudence,

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or Carelessness and Neglect, "Till St. Austin's time, say you, and lower down than the age that he lived in, there is not any mention extant in History, of any private person, of any Commander, or of any number of Conspirators, that have put their Prince to death, or taken up Arms against him." I have named to you out of known and approved Histories, both private persons and Magistrates, that with their own hands have slain not only bad, but very good Princes: Whole Armies of Christians, many Bishops amongst them, that have fought against their own Emperors. You produce some of the Fathers, that with a great flourish of words, persuade or boast of Obedience to Princes: And I, on the other side, produce both those same Fathers, and others besides them, that by their actions, have declined Obedience to their Princes, even in lawful things, have defended themselves with a Military Force against them; others that have opposed forcibly, and wounded their Deputies; others that being Competitors for Bishopricks, have maintained Civil Wars against one another: As if it were lawful for Christians to wage War with Christians for a Bishoprick; and Citizens with Citizens; but unlawful to fight against a Tyrant, in defence of our Liberty, of our Wives and Children, and of our Lives themselves. Who would own such Fathers as these? You produce St. Austin, who you say, asserts that *the Power of a Master over his Servants, and a Prince over his Subjects, is one and the same thing*: But I answer; If St. Austin assert any such thing, he asserts what neither our Saviour, nor any of his Apostles, ever asserted; tho for the confirmation of that assertion, than which nothing can be more false, he pretends to rely wholly upon their Authority. The three or four last Pages of this Fourth Chapter, are stuffed with mere

Lies,

Lies, or things carelessly and loosely put together, that are little to the purpose: And that every one that reads them, will discover by what has been said already. For what concerns the Pope, against whom you declaim so loudly, I am content you should bawl at him, till you are hoarse. But whereas you endeavour to persuade the ignorant, That *all that called themselves Christians, yielded an entire obedience to Princes, whether good or bad, till the Papal Power grew to that height, that it was acknowledged superior to that of the Civil Magistrate, and till he took upon him to absolve Subjects from their Allegiance*: I have sufficiently proved by many Examples before and since the age that St. *Augustin* lived in, that nothing can be more false. Neither does that seem to have much more truth in it, which you say in the last place; *viz. That Pope Zachary absolved the French-men from their Oath of Allegiance to their King*. For *Francis Hotoman*, who was both a French-man and a Lawyer, and a very Learned man, in the 13th Chapter of his *Francogallia*, denies that either *Chilperic* was deposed, or the Kingdom translated to *Pepin*, by the Pope's Authority; and he proves out of very Ancient Chronicles of that Nation, That the whole affair was transacted in the great Council of the Kingdom, according to the Original Constitution of that Government: Which being once done, the French Histories, and Pope *Zachary* himself, deny that there was any necessity of absolving his Subjects from their Allegiance. For not only *Hotoman*, but *Gucciard*, a very eminent Historian of that Nation, informs us, That the Ancient Records of the Kingdom of France testify, That the Subjects of that Nation, upon the first institution of Kingship amongst them, reserved a power to themselves, both of Chusing their Princes, and of Deposing them again,

again, if they thought fit: And that the Oath of Allegiance which they took, was upon this express condition; *to wit*, That the King should likewise perform what at his Coronation he swore to do. So that if Kings by mis-governing the people committed to their charge, first broke their own Oath to their Subjects, there needs no Pope to dispense with the people's Oaths; the Kings themselves by their own perfidiousness having absolved their Subjects: And finally, Pope *Zachary* himself in a Letter of his to the *French*, which you your self quote, renounces, and ascribes to the people, that Authority which you say he assumes to himself: For " if a Prince be accountable to the People, being beholden to them for his Royalty; if the people, since they make Kings, have the same Right to depose them, as the very words of that Pope are, it is not likely that the *French* men would by any Oath depart in the least from that Ancient Right, or ever tye up their own hands, so as not to have the same Right that their Ancestors always had, to depose bad Princes, as well as to honour and obey good ones; nor is it likely that they thought themselves obliged to yield that Obedience to Tyrants, which they swore to yield only to good Princes. A people obliged to Obedience by such an Oath, is discharged of that obligation, when a Lawful Prince becomes a Tyrant, or gives himself over to Sloth and Voluptuousness; the rule of Justice, the very Law of Nature dispenseth with such a people's Allegiance. So that even by the Pope's own opinion, the people were under no obligation to yield Obedience to *Chilperic*, and consequently had no need of a Dispensation.

C H A P. V.

TH O I am of opinion, *Salmasius*, and always was, That the Law of God does exactly agree with the Law of Nature ; so that having shown what the Law of God is, with respect to Princes, and what the practice has been of the people of God, both *Jews* and *Christians*, I have at the same time, and by the same Discourse, made to appear what is most agreeable to the Law of Nature ; yet because you pretend to confute us most powerfully by the Law of Nature, I will be content to admit that to be necessary, which before I had thought would be superfluous ; that in this Chapter I may demonstrate, That nothing is more suitable to the Law of Nature, than that Punishment be inflicted upon Tyrants. Which if I do not evince, I will then agree with you, that likewise by the Law of God they are exempt. I do not purpose to frame a long Discourse of Nature in general, and the original of Civil Societies ; that Argument has been largely handled by many Learned men, both *Greek* and *Latin* ; but I shall endeavour to be as short as may be ; and my design is not so much to confute you my self, who would willingly have spared this pains ; as to show that you confute your self, and destroy your own Positions. I'll begin with that first Position which you lay down as a Fundamental, and that shall be the Groundwork of my ensuing Discourse. The Law of Nature, say you, is a Principle imprinted on all mens minds, to regard the good of all mankind, considering men as united together in Societies. But this innate Principle cannot procure that common good, unless, as there are people that must be governed, so that very Principle

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ascertain who shall govern them. To wit, lest the stronger oppress the weaker, and those persons, who for their mutual Safety and Protection have united themselves together, should be disunited and divided by Injury and Violence, and reduced to a bestial savage life again. This I suppose is what you mean. Out of the number of those that united into one body, you say, there must needs have been some chosen, who excelled the rest in Wisdom and Valour; that they either by force, or by persuasion, might restrain those that were refractory, and keep them within due bounds: sometimes it would so fall out that one single Person, whose Conduct and Valour was extraordinary, might be able to do this, and sometimes more assisted one another with their Advice and Counsel. But since it is impossible that any one man should order all things himself, there was a necessity of his consulting with others, and taking some into part of the Government with himself. So that whether a single person reign, or whether the Supreme Power reside in the body of the People, since it is impossible that all should administer the affairs of the Commonwealth, or that one man should do all, the Government does always lye upon the shoulders of many. And afterwards you say, Both Forms of Government, whether by many or a few, or by a single person, are equally according to the Law of Nature; for both proceed from the same Principle of Nature, viz. That it is impossible for any single person so to govern alone, as not to admit others into a share of the Government with himself. Tho I might have taken all this out of the Third Book of Aristotle's Politicks, I chose rather to transcribe it out of your own Book; for you stole it from him, as Prometheus did Fire from Jupiter, to the ruin of Monarchy, and overthrow of your self, and your own opinion. For enquire as diligently as you can for your life, into the Law of Nature, as you have described it, you will not find the

the least footstep in it of Kingly Power, as you explain it. *The Law of Nature*, say you, *in ordering who should govern others, respected the universal good of all mankind*. It did not then regard the private good of any particular person, not of a Prince; so that the King is for the People, and consequently the People superior to him; which being allowed, it is impossible that Princes should have any right to oppress or enslave the people; that the inferior should have right to tyrannize over the superior. So that since Kings cannot pretend to any right to do mischief, the right of the people must be acknowledged according to the Law of Nature to be superior to that of Princes; so that by the same right, that before Kingship was known, men united their Strength and Counsels for their mutual Safety and Defence, by the same right, that for the preservation of all mens Liberty, Peace, and Safety, they appointed one or more to govern the rest; by the same right they may depose those very persons, whom for their Valour or Wisdom they advanced to the Government, or any others that rule disorderly, if they find them by reason of their slothfulness, folly, or impiety, unfit for Government; since Nature does not regard the good of one, or of a few, but of all in general. For what sort of persons were they whom you suppose to have been chosen? You say *they were such as excelled in Courage and Conduct*; to wit, such as by Nature seemed fittest for Government; who by reason of their excellent Wisdom and Valour, were enabled to undertake so great a Charge. The consequence of this I take to be, That right of Succession is not by the Law of Nature; that no man by the Law of Nature has right to be King, unless he excel all others in Wisdom and Courage; that all such as Reign, and

want these qualifications, are advanced to the Government by Force or Faction ; have no right by the Law of Nature to be what they are, but ought rather to be Slaves than Princes. For Nature appoints that Wise men should govern Fools, not that Wicked men should rule over Good men ; Fools over wise men : And consequently, they that take the Government out of such mens hands, act according to the Law of Nature. To what end Nature directs Wise men should bear the Rule, you shall hear in your own words, viz. *“ That by Force or by Persuasion, they may keep such as are unruly, within due bounds. ”* But how should he keep others within the bounds of their duty, that neglects, or is ignorant of, or wilfully acts contrary to his own ? Alledg now, if you can, any dictate of Nature, by which we are enjoined to neglect the Wise Institutions of the Law of Nature, and have no regard to them in Civil and Publick Concerns, when we see what great and admirable things Nature her self effects in things that are inanimate and void of sense, rather than lose her end. Produce any Rule of Nature, or Natural Justice, by which inferior Criminals ought to be punished, but Kings and Princes to go unpunished ; and not only so, but tho guilty of the greatest Crimes imaginable, be had in Reverence, and almost adored. You agree, *That all Forms of Government, whether by many, or a few, or by a single person, are equally agreeable to the Law of Nature.* So that the person of a King is not by the Law of Nature more sacred than a Senate of Nobles, or Magistrates, chosen from amongst the common people, who you grant may be punished, and ought to be, if they offend ; and consequently, Kings ought to be so too ; who are appointed to rule for the very same end and purpose that other Magistrates

strates are. For, say you, *Nature does not allow any single person to bear rule so entirely, as not to have Partners in the Government.* It does not therefore allow of a Monarch; it does not allow one single person to rule so, as that all others should be in a slavish subjection to his Commands only. You that give Princes such Partners in the Government, *as in whom, to use your own words, the Government always resides,* do at the same time make others Colleagues with them, and equal to them; nay, and consequently you settle a power in those Colleagues of punishing, and of deposing them. So that while you your self go about, not to extol a Kingly Government, but to establish it by the Law of Nature, you destroy it; no greater misfortune could befall Sovereign Princes, than to have such an Advocate as you are. Poor, unhappy wretch! what blindness of mind has seiz'd you, that you should unwittingly take so much pains to discover your Knavery and folly, and make it visible to the world, which before you conceal'd, in some measure and disguis'd; that you should be so industrious to heap disgrace and ignominy upon your self. What offence does Heaven punish you for, in making you appear in publick, and undertake the defence of a desperate Cause, with so much impudence and childishness, and instead of defending it, to betray it by your ignorance? What enemy of yours would desire to see you in a more forlorn, despicable condition than you are, who have no refuge left from the depth of misery, but in your own imprudence and want of sense, since by your unskilful and silly defence, you have rendred Tyrants the more odious and detestable, by ascribing to them an unbounded liberty of doing mischief with Impunity; and consequently have created them more enemies than they had before? But I return to your

Contradictions. When you had resolved with your self to be so wicked as to endeavour to find out a foundation for Tyranny in the Law of Nature, you saw a necessity of extolling a Monarchy above other sorts of Government ; which you cannot go about to do, without doing as you use to do, that is contradicting your self. For having said but a little before, *That all forms of Government, whether by more or fewer, or by a single person, are equally according to the Law of Nature,* now you tell us, *that of all these sorts of Government, That of a single person is most natural.* Nay, though you had said in express terms but lately, *That the Law of Nature does not allow that any Government should reside entirely in one man.* Now upbraid whom you will with the putting of Tyrants to death ; since you your self by your own folly, have cut the Throats of all Monarchs, nay even of Monarchy it self. But it is not to the purpose for us here to dispute which form of Government is best, by one single person, or by many. I confess many eminent and famous men have extolled a Monarchy ; but it has always been upon this supposition, that the Prince were a very excellent person, and one that of all others deserved best to reign ; without which Supposition, no form of Government can be so prone to Tyranny as Monarchy is. And whereas you resemble a Monarchy to the Government of the World, by one Divine Being, I pray answer me, Whether you think that any other can deserve to be invested with a power here on earth, that shall resemble his power that Governs the World, than such a person as doth infinitely excel all other men, and both for Wisdom and Goodness in some measure resemble the Deity ? and such a person in my opinion, none can be but the Son of God himself. And whereas you make a Kingdom to

to be a kind of a Family, and make a comparison betwixt a Prince and a Master of a Family; observe how lame the Parallel is. For a Master of a Family begot part of his Household, at least he feeds all those that are of his house; and upon that account deserves to have the Government; but the reason holds not in the case of a Prince; nay 'tis quite contrary. In the next place, you propose to us for our imitation the example of inferiour Creatures, especially of Birds, and amongst them of Bees, which according to your skill in Natural Philosophy, are a sort of Birds too; *The Bees have a King over them.* The Bees of *Trent* you mean; do'nt you remember? all other Bees, you your self confess to be Commonwealths. But leave off playing the fool with Bees; they belong to the Muses, and hate, and (you see) confute such a Beetle as you are. *The Quails are under a Captain.* Lay such snares for your own Bitterns; you are not Fowler good enough to catch us. Now you begin to be personally concerned. *Gallus Gallinaceus*, a Cock, say you, *has both Cocks and Hens under him.* How can that be, since you your self that are *Gallus*, and but too much *Gallinaceus*, by report, cannot Govern your own single Hen, but let her Govern you: So that if a *Gallinaceus* Bee a King over many Hens, you that are a slave to one, must own your self not to be so good as a *Gallinaceus*, but some *Steriorarius Gallus*, Dunghill-Cock or other. For matter of Books, there is no body publishes huger Dunghills than you, and you disturb all people with your shitten Cock-crow; that's the only property in which you resemble a true Cock. I'll throw you a great many Barley-corns, if in ransacking this Dunghill Book of yours, you can show me but one Jewel; but why should I promise you Barley, that never peckt at corn, as that honest plain Cock that we read of in *Æsop*, but

but at Gold, as that Roguey Cock in *Plantus*; though with a different event; for you found a hundred *Jacobusses*, and he was struck dead with *Euclio's* Club, which you deserve more than he did: But let us go on: *That same natural reason that designs the good and safety of all mankind, requires, that whoever is once promoted to the Sovereignty, be preserved in the possession of it.* Whoever question'd this, as long as his preservation is consistent with the safety of all the rest? But is it not obvious to all men that nothing can be more contrary to natural reason than that any one man should be preserved and defended to the utter ruin and destruction of all others? But yet (you say) *it is better to keep and defend a bad Prince, nay one of the worst that ever was, than to change him for another; because his ill Government cannot do the Commonwealth so much harm as the disturbances will occasion, which must of necessity be raised before the people can get rid of him.* But what is this to the right of Kings by the Law of Nature? If nature teacheth me rather to suffer my self to be robbed by High-way men rather, if I should be taken captive by such, to purchase my Liberty with all my Estate, than to fight with them for my life, can you infer from thence, that they have a natural right to rob and spoil me? Nature teacheth men to give way sometimes to the violence and outrages of Tyrants, the necessity of affairs sometimes enforceth a Toleration with their enormities; what foundation can you find in this forced patience of a Nation, in this compulsory submission, to build a right upon, for Princes to Tyrannize by the Law of Nature? that right which Nature has given the people for their own preservation, can you affirm that she has invested Tyrants with for the people's ruin and destruction? Nature teacheth us, of two evils to chuse the least; and to bear with oppression,

pression, as long as there is a necessity of so doing ; and will you infer from hence, that Tyrants have some right by the Law of Nature to oppress their Subjects, and go unpunished, because as circumstances may fall out, it may sometimes be a less mischief to bear with them than to remove them? Remember what your self once wrote concerning Bishops against a Jesuit ; you were then of another opinion than you are now : I have quoted your words formerly ; you there affirm *that seditious Civil dissensions and discords of the Nobles and Common people against and amongst one another, are much more tolerable, and less mischievous than certain misery and destruction under the Government of a single person, that plays the Tyrant.* And you said very true. For you had not then run mad ; you had not then been bribed with Charles his *Jacobus*. You had not got the King's-Evil. I should tell you perhaps, if I did not know you, that you might be ashamed thus to prevaricate. But you can sooner burst than blush, who have cast off all shame for a little profit. Did you not remember, that the Commonwealth of the people of *Rome* flourished and became glorious when they had banished their Kings? Could you possibly forget that of the *Low-Countries*? which after it had shook off the yoke of the King of *Spain*, after long and tedious Wars, but Crown'd with success, obtained its Liberty, and feeds such a pitiful Grammarian as your self with a Pension; not that their youth might be so infatuated by your Sophistry as to chuse rather to return to their former Slavery than inherit the Glorious Liberty which their Ancestors purchased for them. May those pernicious principles of yours be banished with your self into the most remote and barbarous corners of the World. And last of all, the Commonwealth of *England* might have afforded you an example, in which

which *Charles*, who had been their King, after he had been taken captive in War, and was found incurable, was put to death. But *they have defaced and impoverished the Island with Civil broils and discords, which under its Kings was happy, and swam in Luxury.* Yea, when it was almost buried in Luxury and Voluptuousness, and the more inured thereto, that it might be enthralled the more easily; when its Laws were abolished, and its Religion agreed to be sold, they delivered it from Slavery. You are like him that published *Simplicius* in the same Volume with *Epictetus*, a very grave Stoick, *Who call an Island happy, because it swims in Luxury.* I'm sure no such Doctrine ever came out of *Zeno's* School. But why should not you, who would give Kings a power of doing what they list, have liberty your self to broach what new Philosophy you please? Now begin again to act your part. *There never was in any King's Reign so much blood spilt, so many Families ruined.* All this is to be imputed to *Charles*, not to us, who first raised an Army of *Irishmen* against us; who by his own Warrant Authorized the *Irish* Nation to conspire against the *English*; who by their means slew Two hundred Thousand of his *English* Subjects in the Province of *Ulster*, besides what Numbers were slain in other parts of that Kingdom; who solicited two Armies towards the destruction of the Parliament of *England*, and the City of *London*; and did many other actions of Hostility before the Parliament and people had Listed one Soldier for the preservation and defence of the Government. What Principles, what Law, what Religion ever taught men rather to consult their ease, to save their money, their blood, nay their lives themselves, than to oppose an enemy with force? for I make no differ-

difference betwixt a Foreign Enemy, and another, since both are equally dangerous and destructive to the good of the whole Nation. The People of *Israel* saw very well, that they could not possibly punish the *Benjamites* for Murthering the *Levite's* Wife, without the loss of many Men's lives: And did that induce them to sit still? Was that accounted a sufficient Argument why they should abstain from War, from a very Bloody, Civil War? Did they therefore suffer the Death of one poor Woman to be unrevenged? Certainly if Nature teacheth us rather to endure the Government of a King, though he be never so bad, than to endanger the lives of a great many Men in the recovery of our Liberty; it must teach us likewise not only to endure a Kingly Government, which is the only one that you argue ought to be submitted to, but an Aristocracy and a Democracy: Nay, and sometimes it will persuade us, to submit to a Multitude of Highway-men, and to Slaves that Mutiny. *Fulvius* and *Rupilius*, if your Principles had been received in their days, must not have engaged in the Servile War (as their Writers call it) after the *Prætorian* Armies were Slain: *Crassus* must not have Marched against *Spartacus*, after the Rebels had destroyed one Roman Army, and spoil'd their Tents: Nor must *Pompey* have undertaken the Piratick War. But the State of *Rome* must have pursued the dictates of Nature, and must have submitted to their own Slaves, or to the Pyrates, rather than run the hazard of losing some Mens lives. You do not prove at all, that Nature has imprinted any such notion as this of yours on the minds of Men: And yet you cannot forbear boding us ill luck, and denouncing the Wrath of God against us, (which may Heayen divert and in-
flict

flict it upon your self, and all such Prognosticators as
 you) who have punished as he deserved, one that
 had the name of our King, but was in Fact our im-
 placable Enemy; and we have made Atonement for
 the Death of so many of our Countreymen, as our
 Civil Wars have occasion'd, by shedding his Blood,
 that was the Author and Cause of them. Then you
 tell us, that a Kingly Government appears to be
 more according to the Laws of Nature, because *more*
Nations, both in our days and of old, have submitted to
that Form of Government, than ever did to any other. I
 answer, If that be so, it was neither the effect of any
 Dictate of the Law of Nature, nor was it in Obedi-
 ence to any Command from God. God would not
 suffer his own People to be under a King; he con-
 sented at last, but unwillingly; what Nature and
 right Reason dictates, we are not to gather from the
 practice of most Nations, but of the wisest and most
 prudent. The *Grecians*, the *Romans*, the *Italians*, and
Carthagenians, with many other, have of their own ac-
 cord, out of choice, preferr'd a Commonwealth to
 a Kingly Government; and these Nations that I have
 named, are better instances than all the rest. Hence
Sulpitius Severus says, That 'the very Name of a King
 'was always very odious among freeborn People,
 But these things concern not our present purpose,
 nor many other Impertinences that follow over and
 over again. I'll make haste to prove, that by Exam-
 ples, which I have proved already by Reason, viz.
 That it is very agreeable to the Law of Nature, that
 Tyrants should be punished; and that all Nations by
 the instinct of Nature, have punished them; which
 will expose your Impudence, and make it evident,
 that you take a liberty to publish palpable down-right
 lies. You begin with the *Egyptians*; and indeed,

who

who does not see, that you play the Gipsy your self throughout? *Amongst them*, say you, *there is no mention extant of any King, that was ever slain by the People in a Popular Insurrection, no War made upon any of their Kings by their Subjects, no attempt made to depose any of them.* What think you then of *Osiris*, who perhaps was the first King that the *Egyptians* ever had? Was not he slain by his Brother *Typhon*, and five and twenty other Conspirators? And did not a great part of the Body of the People side with them, and fight a Battel with *Isis* and *Orus*, the late King's Wife and Son? I pass by *Sesostris*, whom his Brother had well-nigh put to Death, and *Chemmis*, and *Cephrenes*, against whom the People were deservedly enraged; and because they could not do it while they were alive, they threatned to tear them in pieces after they were dead. Do you think that a People that durst lay violent hands upon good Kings, had any restraint upon them, either by the Light of Nature or Religion, from putting bad ones to Death? Could they that threatened to pull the dead Bodies of their Princes out of their Graves, when they ceased to do mischief, tho by the Custom of their own Country, the Corps of the meanest Person was sacred and inviolable, abstain from inflicting Punishment upon them in their Life-time, when they were acting all their Villanies, if they had been able; and that upon some Maxim of the Law of Nature? I know you would not stick to answer me in the Affirmative, how absurd soever it be; but that you may not offer at it, I'll pull out your Tongue. Know then, that some Ages before *Cephreus*'s time, one *Amosis* was King of *Egypt*, and was as great a Tyrant, as who has been the greatest; him the People bore with. This you are glad to hear; this is what you would be

be at. But hear what follows, my honest tell-truth. I shall speak out of *Diodorus*, *They bore with him for some while, because he was too strong for them.* But when *Aëtiannes* King of *Ethiopia* made War upon him, they took that opportunity to revolt, so that being deserted, he was easily subdued, and *Egypt* became an Accession to the Kingdom of *Ethiopia*. You see the *Egyptians*, as soon as they could, took up Arms against a Tyrant; they joyned Forces with a Foreign Prince, to depose their own King, and disinherit his Posterity; they chose to live under a moderate and good Prince, as *Aëtiannes* was, tho a Foreigner, rather than under a Tyrant of their own. The same People with a very unanimous Consent took up Arms against *Apries*, another Tyrant, who relied upon Foreign Aids that he had hired to assist him. Under the Conduct of *Amasis* their General they Conquered, and afterward Strangled him, and placed *Amasis* in the Throne. And observe this Circumstance in the History; *Amasis* kept the Captive King a good while in the Palace, and treated him well: At last, when the People complain'd that he nourished his own and their Enemy; he put him into their hands, who put him to Death in the manner I have mentioned. These things are related by *Heroditus* and *Diodorus*. Where are you now? Do you think that any Tyrant would not chuse a *Hatchet* rather than an *Halter*? Afterwards, say you, *when the Egyptians were brought into Subjection by the Persians, they continued faithful to them*; which is most false, they never were faithful to them: For in the fourth year after *Cambyfes* had subdued them, they rebelled. Afterward, when *Xerxes* had tamed them, within a short time after they revolted from his Son *Artaxerxes*, and set up one *Inarus* to be their King. After whose Death they rebell'd

rebell'd again, and made one *Tachus* King, and made War upon *Artaxerxes Mnemon*. Neither were they better Subjects to their own Princes, for they deposed *Tachus*, and confer'd the Government upon his Son *Nectanebus*, till at last *Artaxerxes Ochus* brought them the second time into Subjection to the *Persian* Empire. When they were under the *Macedonian* Empire, they declared by their Actions, that Tyrants ought to be under some restraint: They threw down the Statutes and Images of *Ptolomæus Physco*, and would have killed himself, but that the Mercenary Army that he Commanded, was too strong for them. His Son *Alexander* was forced to leave his Country by the meer Violence of the People, who were incensed against him for killing his Mother. And the People of *Alexandria* dragged his Son *Alexander* out of the Palace, whose Insolent Behaviour gave just Offence, and killed him in the Theatre. And the same People deposed *Ptolomæus Auletes* for his many Crimes. Now, since it is impossible that any Learned Man should be ignorant of these things that are so generally known; and since it is an inexcusable fault in *Salmasius* to be ignorant of them, whose profession it is to teach them others, and whose very asserting things of this Nature ought to carry in its self an Argument of Credibility; it is certainly a very scandalous thing, either that so Ignorant, Unlearned a Blockhead, should to the Scandal of all Learning, profess himself, and be accounted a Learned Man, and obtain Salaries from Princes and States; or that so impudent and notorious a Lyar should not be branded with some particular Mark of Infamy, and for ever banished from the Society of learned and honest Men. Having searched among the *Egyptians* for Examples, let us now consider the *Ethiopians* their Neighbours.

They.

They adore their Kings, whom they suppose God to have appointed over them, almost as if they were a sort of gods themselves: And yet whenever the Priests condemn any of them, they kill themselves: And on that manner, says *Diodorus*, they punish all their Criminals; they put them not to death, but send a Minister of Justice to command them to kill themselves. In the next place you mention the *Assyrians*, the *Medes*, and the *Persians*, who of all others were most observant of their Princes: And you affirm contrary to all Historians that have wrote any thing concerning those Nations, That *the Regal Power there, had an unbounded Liberty annexed to it, of doing what the King listed*. In the first place the Prophet *Daniel* tells us, how the *Babylonians* expelled *Nebuchadnezzar* out of human Society, and made him graze with the Beasts, when his pride grew to be insufferable. The Laws of those Countries were not entitled the Laws of their Kings, but the Laws of the *Medes* and *Persians*; which Laws were irrevocable, and the Kings themselves were bound by them: Inasmuch that *Darius* the *Mede*, tho he earnestly desired to have delivered *Daniel* from the hands of the Princes, yet could not effect it. *Those Nations*, say you, *thought it no sufficient pretence to reject a Prince, because he abused the Right which was inherent in him as he was Sovereign*. But in the very writing of these words you are so stupid, as that with the same breath that you commend the Obedience and Submissiveness of those Nations, of your own accord you make mention of *Sardanapalus* being deprived of his Crown by *Arbaces*. Neither was it he alone that accomplished that Enterprize; for he had the assistance of the Priests, (who of all others were best versed in the Law), and of the people; and it was wholly upon this account that he deposed

posed him, because he abused his authority and power, not by giving himself over to cruelty, but to luxury and effeminacy. Run over the Histories of *Herodotus*, *Ctesias*, *Diodorus*, and you will find things quite contrary to what you assert here; you will find that those Kingdoms were destroyed for the most part by subjects, and not by foreigners; that the *Assyrians* were brought down by the *Medes*, who then were their subjects, and the *Medes* by the *Persians*, who at that time were likewise subject to them. Your self confess, that *Cyrus* rebell'd, and that at the same time in divers parts of the Empire little upstart Governments were formed by those that shook off the *Medes*. But does this agree with what you said before? does this prove the obedience of the *Medes* and *Persians* to their Princes, and that *Jus Regium* which you had asserted to have been universally received amongst those Nations? What Potion can cure this brain-sick frenzy of yours? You say, *It appears by Herodotus how absolute the Persian Kings were.* *Cambyfes* being desirous to marry his Sister, consulted with the Judges, who were the Interpreters of the Laws, to whose Judgment all difficult matters were to be referred. What answer had he from them? They told him, They knew no Law which permitted a Brother to marry his Sister; but another Law they knew, that the Kings of *Persia* might do what they listed. Now to this I answer, if the Kings of *Persia* were really so absolute, what need was there of any other to interpret the Laws, besides the King himself? Those superfluous, unnecessary Judges would have had their abode and residence in any other place rather than in the Palace, where they were altogether useless. Again, if those Kings might do what ever they would, it is not credible that so ambitious a Prince as *Cambyfes*

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was,

was, should be so ignorant of that grand Prerogative, as to consult with the Judges, whether what he desired were according to Law. What was the matter then? either they designed to humour the King, as you say they did, or they were afraid to cross his inclination, which is the account that *Herodotus* gives of it; and so told him of such a Law, as they knew would please him, and in plain terms made a fool of him; which is no new thing with Judges and Lawyers now a days. But, say you, *Artabanus* a Persian told *Themistocles*, that there was no better Law in Persia, than that by which it was Enacted, That Kings were to be honoured and adored. An excellent Law that was without doubt which commanded subjects to adore their Princes! but the Primitive Fathers have long ago damned it; and *Artabanus* was a proper person to commend such a Law, who was the very man that a little while after slew *Xerxes* with his own hand. You quote *Regicides* to assert Royalty. I am afraid you have some design upon Kings. In the next place you quote the Poet *Claudian*, to prove how obedient the Persians were. But I appeal to their Histories and Annals, which are full of the Revolts of the Persians, the Medes, the Bactrians, and Babylonians, and give us frequent instances of the Murders of their Princes. The next person whose authority you cite, is *Otanes* the Persian, who likewise killed *Smerdis* then King of Persia, to whom, out of the hatred which he bore to a Kingly Government, he reckons up the impieties and injurious actions of Kings, their violation of all Laws, their putting men to death without a legal conviction, their rapes and adulteries; and all this you will have called the right of Kings, and slander *Samuel* again as a teacher of such Doctrine. You quote *Homer*, who says that Kings derive their authority

authority from *Jupiter* ; to which I have already given an answer. For King *Philip* of *Macedon*, whose asserting the right of Kings, you make use of: I'll believe *Charles* his description of it, as soon as his. Then you quote some Sentences out of a fragment of *Digenes a Pythagorean* ; but you do not tell us what sort of a King he speaks of. Observe therefore how he begins that Discourse ; for whatever follows must be understood to have relation to it. ' Let him be King, *says he*, that of all others is most just, and so he is that acts most according to Law ; for no man can be King that is not just ; and without Laws there can be no Justice. This is directly opposite to that Regal right of yours. And *Euphantas*, whom you likewise quote, is of the same opinion : ' Whoever takes upon him to be a King, ought to be naturally most pure and clear from all imputation : And a little after, ' Him, *says he*, we call a King, that governs well, and he only is properly so. So that such a King as you speak of, according to the Philosophy of the *Pythagoreans*, is no King at all. Hear now what *Plato* says in his *eighth Epistle* : ' Let Kings, *says he*, be liable to be called to account for what they do : Let the Laws controul not only the people, but Kings themselves, if they do any thing not warranted by Law. I'll mention what *Aristotle* says in the *Third Book of his Politicks* ; ' It is neither for the Publick Good, nor is it just, *says he*, where all men are by nature alike and equal, that any one should be Lord and Master over all the rest, neither where there are no Laws ; nor is it for the Publick Good, or Just, that one man should be a Law to the rest ; nor is it so where there are Laws ; nor that any one, tho a good man, should be Lord over other good men,

' men, nor a bad man over bad men. And in the
Fifth Book, says he, ' That King whom the people
 ' refuse to be govern'd by, is no longer a King, but a
 ' Tyrant. Hear what *Xenophon* says in *Hiero*: ' People
 ' are so far from revenging the Deaths of Tyrants,
 ' that they confer great Honour upon him that Kills
 ' one, and erect Statues in their Temples to the Ho-
 ' nour of Tyrannicides. Of this I can produce an
 Eye-witness, *Marcus Tullius*, in his Oration *pro Milone*,
 ' The *Grecians*, says he, ascribe Divine Worship to
 ' such as kill Tyrants: What things of this nature
 ' have I my self seen at *Athens*, and in other Cities of
 ' *Greece*? How many Religious Observances have
 ' been instituted in honour of such men? How many
 ' Hymns? They are consecrated to Immortality and
 ' Adoration, and their Memory endeavoured to be
 ' perpetuated. And lastly, *Polybius*, an Historian of
 great Authority and Gravity, in the *Sixth Book* of
 his *History* says thus: ' When Princes began to in-
 ' dulse their own Lusts and sensual Appetites, then
 ' Kingdoms were turned into so many Tyrannies, and
 ' the Subjects began to conspire the Death of their Go-
 ' vernors; neither were they the profligate sort that
 ' were the Authors of those Designs, but the most
 ' Generous and Magnanimous. I could quote many
 such like passages, but I shall instance in no more.
 From the Philosophers you appeal to the Poets; and
 I am very willing to follow you thither. *Æschylus*
 is enough to inform us, That the Power of the Kings of
 Greece was such, as not to be liable to the censure of any
 Laws, or to be questioned before any Human Judicature;
 for he in that Tragedy that is called, *The Suppliants*, calls
 the King of the Argives, a Governor not obnoxious to the
 Judgment of any Tribunal. But you must know, for
 the more you say, the more you discover your rash-
 ness

ness and want of judgment ; you must know, I say, that one is not to regard what the Poet says, but what person in the Play speaks, and what that person says ; for different persons are introduced, sometimes good, sometimes bad ; sometimes wise men, sometimes fools ; and such words are put into their mouths, as it is most proper for them to speak ; not such as the Poet would speak, if he were to speak in his own person. The Fifty Daughters of *Danaus* being banished out of *Egypt*, became Suppliants to the King of the *Argives* ; they begg'd of him, that he would protect them from the *Egyptians*, who pursued them with a Fleet of Ships. The King told them he could not undertake their Protection, till he had imparted the matter to the people ; ‘ For, *says he*, if I should make ‘ a promise to you, I should not be able to perform it, ‘ unless I consult with them first. The Women being Strangers and Suppliants, and fearing the uncertain suffrages of the people, tell him, ‘ That the Power ‘ of all the people resides in him alone : that he judges ‘ all others, but is not judged himself by any. He answers : ‘ I have told you already, That I cannot do ‘ this thing that you desire of me, without the people’s consent ; nay, and tho I could, I would not. At last he refers the matter to the people ; ‘ I will assemble the people, *says he*, and persuade them to protest you. The people met, and resolved to engage in their quarrel ; insomuch that *Danaus* their Father bids his Daughters ‘ be of good cheer, for the people ‘ of the Countrey, in a Popular Convention had voted their Safeguard and Defence. If I had not related the whole thing, how rashly would this impertinent *Ignoramus* have determined concerning the Right of Kings among the *Grecians*, out of the mouths

mouths of a few Women that were Strangers and Suppliants, tho the King himself, and the History be quite contrary ? The same thing appears by the story of *Orestes* in *Euripides*, who after his Father's Death, was himself King of the *Argives*, and yet was called in question by the people for the death of his Mother, and made to plead for his Life, and by the major suffrage was condemned to dye. The same Poet in his Play called *The Suppliants*, declares, That at *Athens* the Kingly Power was subject to the Laws ; where *Theseus* then King of that City is made to say these words : ' This is a free City, it is not governed by one man ; the people reigns here. And his Son *Demophoon*, who was King after him, in another Tragedy of the same Poet, called *Heraclide*, ' I do not exercise a Tyrannical power over them, as if they were *Barbarians* : I am upon other terms with them ; but if I do them Justice, they will do me the like. *Sophocles* in his *Oedipus* shows, That anciently in *Thebes* the Kings were not absolute neither : Hence says *Tiresias* to *Oedipus*, ' I am not your Slave. And *Creon* to the same King, ' I have some Right in this City, says he, as well as you. And in another Tragedy of the same Poet, called *Antigone*, *Æmon* tells the King, ' That the City of *Thebes* is not govern'd by a single person. All men know that the Kings of *Lacedemon* have been arraigned, and sometimes put to death judicially. These instances are sufficient to evince what Power the Kings in *Greece* had. Let us consider now the *Romans* : You betake your self to that passage of *C. Memmius* in *Salust*, of Kings having a liberty to do what they list, and go unpunished ; to which I have given an answer already. *Salust* himself says in express words, ' That

' That the Ancient Government of *Rome* was by their
 ' Laws, tho the Name and Form of it was Regal ;
 which form of Government, when it grew into a
 Tyranny, you know they put down and changed.
Cicero in his Oration against *Piso*, ' Shall I, *says he*,
 ' account him a Consul, who would not allow the
 ' Senate to have any Authority in the Common-
 ' wealth ? Shall I take notice of any man as Consul,
 ' if at the same there be no such thing as a Senate ;
 ' when of old, the City of *Rome* acknowledged not
 ' their Kings, if they acted without or in opposition
 ' to the Senate ? Do you hear ; the very Kings them-
 selves at *Rome* signified nothing without the Senate.
But, say you, *Romulus* governed as he listed ; and for
 that you quote *Tacitus*. No wonder : The Govern-
 ment was not then established by Law ; they were a
 confus'd multitude of strangers more like, than a
 State ; and all mankind lived without Laws, before
 Governments were settled. But when *Romulus* was
 dead, tho all the people were desirous of a King, not
 having yet experienced the sweetness of Liberty, yet,
 as *Livy* informs us, ' The Sovereign Power resided
 ' in the People ; so that they parted not with more
 ' Right than they retained : The same Author tells
 us, ' That that same Power was afterwards extorted
 ' from them by their Emperours. *Servius Tullius* at
 first reigned by fraud, and as it were a Deputy to *Tar-*
quinus Priscus ; but afterward he referred it to the
 people, Whether they would have him reign or no ?
 At last, says *Tacitus*, he became the Author of such
 Laws as the Kings were obliged to obey. Do you
 think he would have done such an injury to himself
 and his Posterity, if he had been of opinion that the
 Right of Kings had been above all Laws ? Their last
 King, *Tarquinus Superbus*, was the first that put an

end to that custom of consulting the Senate concerning all Publick Affairs; for which very thing, and other enormities of his, the people deposed him and banished him and his Family. These things I have out of *Livy* and *Cicero*, than whom you will hardly produce any better Expositors of the Right of Kings among the *Romans*. As for the Dictatorship, that was but Temporary, and was never made use of, but in great extremities, and was not to continue longer than six months. But that thing which you call the Right of the *Roman* Emperors, was no Right, but a plain downright Force; and was gained by War only. But *Tacitus*, say you, *that lived under the Government of a single person, writes thus; The Gods have committed the Sovereign Power in human Affairs to Princes only, and have left to Subjects the honour of being obedient.* But you tell us not where *Tacitus* has these words; for you were conscious to your self, that you imposed upon your Readers in quoting them; which I presently smelt out, tho I could not find the place of a sudden: For that Expression is not *Tacitus's* own, who is an approved Writer, and of all others the greatest Enemy to Tyrants; but *Tacitus* relates that *M. Terentius*, a Gentleman of *Rome*, being accused for a Capital Crime, amongst other things that he said to save his life, flattered *Tiberius* on this manner; (it is in the *Sixth* Book of his *Annals*); 'The Gods have entrusted you with the ultimate Judgment in all things; they have left us the honour of Obedience. And you cite this passage as if *Tacitus* had said it himself; you scrape together whatever seems to make for your Opinion, either out of ostentation, or out of weakness; you would leave out nothing that you could find in a Baker's, or a Barber's Shop; nay, you would be glad of any thing that looked like an Argument,

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from the Hang-man himself. If you would have read *Tacitus* himself, and not have transcribed some loose Quotations out of him by other Authors, he would have taught you whence that Imperial Right had its Original. 'After the Conquest of *Asia*, says he, the whole state of our Affairs was turned upside down ; 'nothing of the ancient integrity of our Forefathers 'was left amongst us ; all men shook off that former 'equality which had been observed, and began to 'have a reverence for the Mandates of Princes. This you might have learned out of the *Third* Book of his *Annals*, whence you have all your Regal Right : 'When that ancient equality was laid aside, and instead thereof Ambition and Violence took place, 'Tyrannical Forms of Government started up, and 'fixed themselves in many Countries. This same thing you might have learned out of *Dio*, if your natural Levity and Unsettledness of Judgment would have suffered you to apprehend any thing that's solid. He tells us in his *Fifty third* Book of his *History*, out of which book you have made some quotation already, That *Octavius Caesar*, partly by Force, and partly by Fraud, brought things to that pass, that the Emperors of *Rome* became no longer fettered by Laws. For he, tho he promised to the people in publick that he would lay down the Government, and obey the Laws, and become subject to others, yet under pretence of making War in several Provinces of the Empire, still retained the Legions, and so by degrees invaded the Government, which he pretended he would forgo. This was not regularly getting from under the Law, but breaking forcibly through all Laws, as *Spartacus* the Gladiator might have done ; and then assuming to himself the style of Prince or Em-

Emperor, as if God or the Law of Nature had put all men and all Laws into subjection under him. Would you enquire a little further into the Original of the Right of the *Roman* Emperors? *Marcus Antonius*, whom *Cæsar*, when by taking up Arms against the Commonwealth, he had got all the Power into his hands, had made Consul, when a Solemnity called the *Lupercalia* was celebrated at *Rome*, (as had been contrived before-hand, that he should) set a Crown upon *Cæsar's* head, (though the people sighed and lamented at the sight) and caused it to be entered upon record, That *Marcus Antonius* at the *Lupercalia*, made *Cæsar* King at the Instance of the people. Of which action, *Cicero* in his second *Philippick*, 'Was *Lucius Tarquinius* therefore expelled, 'says he, *Spurius Cassius*, *Sp. Melius*, and *Marcus Manilius* put to death, that after many ages *Marcus Antonius* should make a King in *Rome* contrary to Law? But you deserve to be tortured, and loaded with everlasting disgrace, much more than *Mark Antony*; tho I would not have you proud because he and your self are put together; for I do not think so despicable a Wretch as you fit to be compared with him in any thing but Impiety; you that in those horrible *Lupercalia* of yours, set not a Crown upon one Tyrant's head, but upon all, and such a Crown as you would have limited by no Laws, nor liable to any. Indeed if we must believe the Oracles of the Emperors themselves, (for so some Christian Emperors, as *Theodosius* and *Valens*, have called their Edicts, *Cod. lib. 1. tit. 14.*) the Authority of the Emperors depends upon that of the Law. So that the Majesty of the Person that reigns, even by the Judgment, or call it the Oracle, of the Emperors themselves, must submit to the Laws, on whose Authority it depends. Hence

Pliny

Pliny tells *Trajan* in his *Panegyrick*, when the Power of the Emperors was grown to its height: 'A Principality, and an Absolute Sovereignty are quite different things. *Trajan* puts down whatever looks like a Kingdom; he rules like a Prince, that there may be no room for a Magisterial Power. And afterwards, 'Whatever I have said of other Princes, I said that I might show how our Prince reforms and corrects the Manners of Princes, which by long custom have been corrupted and depraved. Are not you ashamed to call that the Right of Kings, that *Pliny* calls the corrupt and depraved Customs of Princes? But let this suffice to have been said in short of the Right of Kings, as it was taken at *Rome*. How they dealt with their Tyrants, whether Kings or Emperors, is generally known. They expelled *Tarquin*. But, say you, *How did they expel him? Did they proceed against him judicially?* No such matter: *When he would have come into the City, they shut the gates against him.* Ridiculous Fool! What could they do but shut the gates, when he was hastning to them with part of the Army? And what great difference will there be, whether they banished him, or put him to death, so they punished him one way or other? The best men of that age kill'd *Cesar* the Tyrant in the very Senate. Which action of theirs, *Marcus Tullius*, who was himself a very excellent man, and publicly call'd the Father of his Countrey, both elsewhere and particularly in his second *Philippick*, extols wonderfully. I'll repeat some of his words, 'All good Men kill'd *Cesar*, as far as in them lay. Some Men could not advise in it, others wanted Courage to act in it, others wanted an Opportunity, all had a good will to it. And afterwards, 'What greater and more glorious Action (ye holy gods!) ever was perform-

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'ed, not in this City only, but in any other Coun-
 'try? what Action more worthy to be recommended
 'to everlasting memory? I am not unwilling to be
 'included within the number of those that advised
 'it, as within the *Trojan Horse*. The passage of *Se-
 neca* may relate both to the *Romans*, and the *Grecians*,
 'There cannot be a greater, nor more acceptable Sa-
 'crifice offered up to *Jupiter*, than a wicked Prince.
 For if you consider *Hercules*, whose words these are,
 They shew what the Opinion was of the principal
 Men amongst the *Grecians* in that Age; If the Poet,
 who flourished under *Nero* (and the most worthy Per-
 sons in Plays generally express the Poet's own Sense)
 then this passage shows us what *Seneca* himself and
 all good Men, even in *Nero's* time, thought was fit
 to be done to a Tyrant; and how vertuous an Acti-
 on, how acceptable to God they thought it to kill
 one. So every good Man of *Rome*, as far as in him
 lay, kill'd *Domitian*. *Pliny* the Second, owns it open-
 ly in his *Panegyrick* to *Trajan* the Emperor, 'We took
 'pleasure in dashing those proud Looks against
 'the Ground, in piercing him with our Swords, in
 'mangling him with Axes, as if he had bled and
 'felt pain at every stroke: No man could so command
 'his passion of Joy, but that he counted it a piece of
 'Revenge to behold his mangled Limbs, his Mem-
 'bers torn asunder, and after all, his stern and hor-
 'rid Statues thrown down and burnt. *And after-
 wards*, 'They cannot love good Princes enough, that
 cannot hate bad ones as they deserve. Then amongst
 other Enormities of *Domitian*, he reckons this for
 one, that he put to Death *Epaphroditus*, that had
 kill'd *Nero*, 'Had we forgotten the avenging *Nero's*
 'Death? Was it likely that he would suffer his Life
 'and Actions to be ill spoken of, whose Death he re-
 'venged?

‘venged? He seems to have thought it almost a Crime not to kill *Nero*, that counts it so great a one to punish him that did it. By what has been said, it is evident, that the best of the *Romans* did not only kill Tyrants, as oft as they could, and howsoever they could; but that they thought it a commendable, and a praise-worthy Action so to do, as the *Grecians* had done before them. For when they could not proceed judicially against a Tyrant in his life-time, being inferior to him in Strength and Power, yet after his Death they did it, and condemn’d him by the *Valerian Law*. For *Valerius Publicola*, *Junius Brutus* his Colleague, when he saw, that Tyrants being guarded with Soldiers, could not be brought to a legal Tryal, he devised a Law to make it lawful to kill them any way, tho uncondemn’d, and that they that did it, should afterwards give an account of their so doing. Hence, when *Cassius* had actually run *Caligula* through with a Sword, tho every Body else had done it in their hearts, *Valerius Asiaticus*, one that had been Consul, being present at the time, cried out to the Soldiers that began to Mutiny because of his Death, *I wish I my self had kill’d him*. And the Senate at the same time was so far from being displeased with *Cassius* for what he had done, that they resolved to extirpate the Memory of the Emperors, and to raze the Temples that had been erected in Honour of them. When *Claudius* was presently saluted Emperor by the Soldiers, they forbid him by the Tribune of the People to take the Government upon him; but the Power of the Soldiers prevailed. The Senate declared *Nero* an Enemy, and made enquiry after him, to have punished him according to the Law of their Ancestors; which required, that he should be stript naked, and hung by the Neck upon a forked Stake, and

and whipt to Death. Consider now, how much more mildly and moderately the *English* dealt with their Tyrant, tho many are of Opinion, that he caused the spilling of more Blood than ever *Nero* himself did. So the Senate condemn'd *Domitian* after his Death; they commanded his Statues to be pull'd down and dash'd in pieces, which was all they could do. When *Commodus* was slain by his own Officers, neither the Senate, nor the People punisht the Fact, but declared him an Enemy, and enquired for his dead Corps to have made it an Example. An Act of the Senate made upon that occasion is extant in *Lampridius*: 'Let the Enemy of his Country be depriv'd of all his Titles; let the Parricide be drawn, let him be torn in pieces in the *Spoliary*, let the Enemy of the gods, the Executioner of the Senate be drag'd with a Hake, &c. The same Persons in a very full Senate condemn'd *Didius Julianus* to Death, and sent a Tribune to slay him in the Palace. The same Senate deposed *Maximinus*, and declared him an Enemy. Let us hear the words of the Decree of the Senate concerning him, as *Capitolinus* relates it, 'The Consul put the question, Conscript Fathers, what is your pleasure concerning the *Maximines*? They answered, 'They are Enemies, they are Enemies, who ever kills them shall be rewarded. Would you know now, whether the People of *Rome*, and the Provinces of the Empire obeyed the Senate, or *Maximine* the Emperor? Hear what the same Author says, The Senate wrote Letters into all the Provinces, requiring them to take care of their Common Safety and Liberty; the Letters were publicly read. And the Friends, the Deputies, the Generals, the Tribunes, the Soldiers of *Maximine*, were slain in all places; very few Cities were found that kept their Faith.

Faith with the publick Enemy. *Herodian* relates the same thing. But what need we give any more Instances out of the *Roman* Histories? Let us now see what manner of thing the Right of Kings was in those days, in the Nations that bordered upon the Empire. *Ambiorix*, a King of the *Gauls*, confesseth, 'The Nature of his Dominion to be such, that the 'People have as great Power over him, as he over 'them. And consequently, as well as he judged them, he might be judged by them. *Vercingetorix*, another King in *Gaul*, was accused of Treason by his own People. These things *Cesar* relates in his History of the *Gallick* Wars. 'Neither is the Regal Power 'among the *Germans* absolute and uncontrollable; 'lesser matters are ordered and disposed by the 'Princes; greater Affairs by all the People. The 'King or Prince is more considerable by the Authority of his Persuasions, than by any Power that he has 'of Commanding. If his Opinion be not approv'd 'of, they declare their dislike of it by a general murmuring Noise. This is out of *Tacitus*. Nay, and you your self now confess, that what but of late you exclaim'd against as an unheard of thing, has been often done, to wit, That *no less than fifty Scottish Kings have been either Banished, or Imprisoned, or put to Death, nay, and some of them publicly executed.* Which having come to pass in our very Island; why do you, as if it were your Office to conceal the violent Deaths of Tyrants, by burying them in the dark, exclaim against it as an abominable and unheard of thing? You proceed to commend the *Jews* and *Christians* for their Religious Obedience even to Tyrants, and to heap one lye upon another, all which I have already contuted you in. Of late you made large Encomiums of the Obedience of the *Assyrians* and *Persians*, and

and now you reckon up their Rebellions ; and tho' but of late you said they never had Rebell'd at all, now you give us a great many reasons why they Rebell'd so often. Then you resume the Narrative of the manner of our King's Death, which you had broken off long since ; that if you had not taken care sufficiently to appear ridiculous, and a Fool then, you may do it now. You said, *He was led through the Members of his own Court.* What you mean by the Members of the Court, I would gladly know. You enumerate the Calamities that the *Romans* underwent by changing their Kingdom into a Commonwealth. In which I have already shown how grossly you give your self the lye. What was it you said when you wrote against the Jesuit ? You demonstrated, That in an Aristocracy, or a popular State there could but be *Seditions and Tumults*, whereas under a Tyrant nothing was to be looked for, but certain *Ruin and Destruction* : And dare you now say, you vain corrupt Mortal, That *those Seditions were Punishments inflicted upon them for Banishing their Kings* ; to wit, because King Charles gave you a hundred *Jacobusses* afterward ? Therefore the *Romans* shall be punished for Banishing their Kings. But 'they that kill'd *Julius Caesar*, did not prosper afterwards. I confess, if I would have had any Tyrant spared, it should have been him. For altho' he introduced a Monarchical Government into a free State by force of Arms, yet perhaps himself deserved a Kingdom best ; and yet I conceive that none of those that killed him can be said to have been punished for so doing, any more than *Caius Anthonius*, Cicero's Colleague for destroying *Cataline*, who when he was afterward condemn'd for other Crimes, says Cicero in his Oration, *Pro Flacco*, *Cataline's Sepulchre was adorn'd with Flowers.* For they that fa-
voured

voured *Cataline*, then rejoiced, *They gave out then, that what Cataline did was just*, to encrease the Peoples hatred against those that had cut him off. These are Artifices, which wicked Men make use of, to deter the best of Men from punishing Tyrants, and flagitious Persons. I might as easily say the quite contrary, and instance in them that have killed Tyrants, and prospered afterwards; if any certain inference might be drawn in such Cases from the Events of things. You object further, *That the English did not put their Hereditary King to Death in like manner, as Tyrants use to be slain, but as Robbers and Traytors are executed.* In the first place I do not, nor can any wise Man understand what a Crowns being Hereditary, should contribute to a King's Crimes being unpunishable. What you ascribe to the *Barbarous Cruelty* of the *English*, proceeded rather for their Clemency and Moderation, and as such, deserves Commendation; who, tho' the being a Tyrant, is a Crime that comprehends all sorts of Enormities, such as Robberies, Treasons, and Rebellions against the whole Nation, yet were contented to inflict no greater punishment upon him for being so, than they used of course to do upon any Common Highway-man, or ordinary Traytor. You hope *some such Men as Harmodius and Thrasibulus will rise up amongst us, and make Expiation for the King's Death by shedding their Blood that were the Authors of it.* But you will run mad with despair, and be detested by all good Men, and put an end to that wretched Life of yours, by hanging your self, before you see Men like *Harmodius* avenging the Blood of a Tyrant upon such as have done no other than what they did themselves. That you will come to such an end is most probable,

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ble, nor can any other be expected of so great a Rogue; but the other thing is an utter impossibility. You mention thirty Tyrants that rebelled in *Callienus's* time. And what if it fall out, that one Tyrant happens to oppose another, must therefore all they that resist Tyrants be accounted such themselves? You cannot persuade Men into such a belief, you Slave of a Knight; nor your Author *Trebellius Pollio*, the most inconsiderable of all Historians that have writ. *If any of the Emperors were declared Enemies by the Senate, you say, it was done by Faction, but could not have been by Law.* You put us in mind what it was that made Emperours at first: It was Faction and Violence, and to speak plainer, it was the Madness of *Anthony*, that made Generals at first Rebel against the Senate, and the People of Rome; there was no Law, no Right for their so doing. *Galba*, you say, *was punished for his Insurrection against Nero.* Tell us likewise how *Vespasian* was punished for taking up Arms against *Vitellius*: *There was as much difference, you say, betwixt Charles and Nero, as betwixt those English Butchers, and the Roman Senators of that Age.* Despicable Villain! by whom it is Scandalous to be commended, and a Praise to be Evil spoken of: But a few Periods before, discouraging of this very thing, you said, *That the Roman Senate under the Emperors, was in effect but an Assembly of Slaves in Robes:* And here you say, *That very Senate was an Assembly of Kings;* which if it be allowed, then are Kings according to your own Opinion, but Slaves with Robes on. Kings are blessed, that have such a Fellow as you to write in their praise, than whom no Man is more a Rascal, no Beast more void of Sense, unless this one thing may be said

to

to be peculiar to you, that none ever brayed so learnedly. You make the Parliament of *England* more like to *Nero*, than to the *Roman Senate*. This itch of yours of making silly Similitudes, enforces me to rectify you, whether I will or no: And I will let you see how like King *Charles* was to *Nero*. *Nero*, you say, *commanded his own Mother to be run through with a Sword*. But *Charles* murdered both his Prince, and his Father, and that by Poyson. For to omit other evidences; he that would not suffer a Duke that was accused for it, to come to his Tryal, must needs have been guilty of it himself. *Nero* slew many thousands of *Christians*; but *Charles* slew many more. There were those, says *Suetonius*, that praised *Nero* after he was dead, that long'd to have had him again, *That hung Garlands of Flowers upon his Sepulchre*, and gave out that they would never prosper that had been his Enemies. And some there are transported with the like Phrensy, that wish for King *Charles* again, and extol him to the highest degree imaginable, of whom you a Knight of the Halter are a Ringleader. *The English Soldiers more Savage than their own Mastiffs, erected a new and unheard-of Court of Justice*. Observe this ingenious Symbol, or adage of *Salmasius*, which he has now repeated six times over, *More Savage than their own Mastiffs*. Take notice, Orators and School-Masters, pluck, if you are wise, this Elegant Flower, which *Salmasius* is so very fond of: Commit this Flourish of a Man, that is so much a Master of words, to your Desks for safe Custody, lest it be lost. Has your rage made you forget words to that degree, that like a Cuckcow, you must needs say the same thing over and over again? What strange thing

has befallen you? The Poet tells us, That Spleen and Rage turn'd *Hecuba* into a Dog; and it has turn'd you, the Lord of St. *Lupus*, into a Cuckow. Now you come out with fresh Contradictions. You had said before, page 113. That *Princes were not bound by any Laws, neither Coercive, nor Directory; that they were bound by no Law at all.* Now you say, That you will discourse by and by of the difference betwixt some Kings and others, in point of Power; some having had more, some less. You say, You will prove that Kings cannot be judged, nor condemn'd by their own Subjects, by a most solid Argument; but you do it by a very silly one, and 'tis this; You say, *There was no other difference than that betwixt the Judges, and the Kings of the Jews; and yet the reason why the Jews required to have Kings over them, was because they were weary of their Judges, and hated their Government.* Do you think, that, because they might Judge and Condemn their Judges, if they misbehaved themselves in the Government; they therefore hated and were weary of them, and would be under Kings, whom they should have no Power to restrain and keep within Bounds, tho they should break through all Laws? Who but you ever argued so childishly? So that they desired a King for some other reason, than that they might have a Master over them, whose Power should be superior to that of the Law; which reason what it was, it is not to our present purpose to make a Conjecture: Whatever it was, both God and his Prophets tells us, it was no piece of prudence in the People to desire a King. And now you fall foul upon your *Rabbins*, and are very angry with them for saying, That a King might be judged and condemned to undergo Stripes; out of whose Writings you said before

before you had proved that the Kings of the *Jews* could not be judged. Wherein you confess, that you told a lye when you said you had proved any such thing out of their Writings. Nay, you come at last to forget the Subject you were upon, of writing in the King's Defence, and raise little impertinent Controversies about *Solomon's Stables*, and how many Stalls he had for his Horses. Then of a Jockey you become a Ballad-singer again, or rather, as I said before, a raving distracted Cuckoo. You complain, That *in these latter Ages, Discipline has been more remiss, and the Rule less observed and kept up to*; to wit, because one Tyrant is not permitted without a Check from the Law, to let loose the Reins of all Discipline, and corrupt all Mens manners. This Doctrine, you say, the *Brownists* introduced amongst those of the Reformed Religion; so that *Luther, Calvin, Zuinglius, Bucer*, and all the most Celebrated Orthodox Divines are *Brownists* in your Opinion. The *English* have the less reason to take your Reproaches ill, because they hear you belching out the same Slanders against the most eminent Doctors of the Church, and in effect against the whole Reformed Church itself.

C H A P. VI.

AFTER having discours'd upon the Law of God, and of Nature, and handled both so unto-wardly, that you have got nothing by the bargain but a deserved reproach of Ignorance and Knavery; I cannot apprehend what you can have farther to alledg in defence of your Royal Cause, but meer trifles. I for my part hope I have given satisfaction already to all good and learned men, and shall have done this Noble cause Right, should I break off here; yet lest I should seem to any to decline your variety of arguing and ingenuity, rather than your immoderate impertinence, and tittle-tattle, I'll follow you where ever you have a mind to go; but with such brevity as shall make it appear, that after having perform'd whatever the necessary defence of the Cause required, if not, what the dignity of it merited, I now do but comply with some mens expectation, if not their curiosity. *Now, say you, I shall alledg other and greater arguments.* What? greater arguments than what the Law of God and Nature afforded? Help, *Lucina!* The mountain *Salmasius* is in labour! It is not for nothing that he has got a she-husband. Mortals expect some extraordinary birth. *If he that is, and is called a King, might be accused before any other power, that power must of necessity be greater than that of the King; and if so, then must that power be indeed the Kingly power, and ought to have the name of it: For a Kingly power is thus defined; to wit, the Supreme power in the State residing in a single person, and which has no Superior.* O ridiculous birth! a Mouse crept out of the Mountain! Help Grammarians! one of your number is in danger of perishing! The Law of God and of Nature are safe; but *Salmasius* his Dictionary is undone. What if I should

should answer you thus? That words ought to give place to things; that we having taken away Kingly Government it self, do not think our selves concerned about its name, and definition; let others look to that, who are in love with Kings: We are contented with the enjoyment of our Liberty; such an answer would be good enough for you. But to let you see that I deal fairly with you throughout, I will answer you, not only from my own, but from the opinion of very wise and good men, who have thought that the name and power of a King are very consistent with a power in the people and the Law, superior to that of the King himself. In the first place *Lycurgus*, a man very eminent for his wisdom, designing, as *Plato* says, to secure a Kingly Government as well as it was possible, could find no better expedient to preserve it, than by making the power of the Senate, and of the *Ephori*, that is, the power of the people, superior to it. *Theseus* in *Euripedes*, King of *Athens* was of the same opinion; for he to his great honour restored the people to their liberty, and advanced the power of the people above that of the King, and yet left the Regal Power in that City to his Posterity. Whence *Euripedes* in his Play called the *Suppliants*, introduceth him speaking on this manner: 'I have advanced the people themselves into the Throne, having freed the City from Slavery, and admitted the people to a share in the Government, by giving them an equal right of Suffrage. And in another place to the Herald of *Thebes*, 'In the first place, says he, you begin your Speech, Friend, with a thing that is not true; in styling me a Monarch; for this City is not governed by a single person, but is a free State; the people reigns here. These were his words, when at the

same time he was both called, and really was King there. The Divine *Plato* likewise in his *Eight Epistle*, *Licurgus*, says he, introduced the power of the Senate and of the Ephori, a thing very preservative of Kingly Government, which by this means hath honourably flourished for so many ages, because the Law in effect was made King. Now the Law cannot be King, unless there be some, who, if there should be occasion, may put the Law in execution against the King. A Kingly Government so bounded and limited, he himself commends to the *Sicilians*, 'Let the people enjoy their Liberty under a Kingly Government; let the King himself be accountable; let the Law take place even against Kings themselves, if they act contrary to Law. *Aristotle* likewise in the third Book of his *Politicks*, 'Of all Kingdoms, says he, that are govern'd by Laws, that of the *Lacedemonians* seems to be most truly and properly so. And he says, all forms of Kingly Governments are according to settled and established Laws, but one, which he calls *καυβαλεια*, or *Absolute Monarchy*, which he does not mention ever to have obtain'd in any Nation. So that *Aristotle* thought such a Kingdom, as that of the *Lacedemonians* was, to be and deserve the name of a Kingdom more properly than any other; and consequently that a King, tho subordinate to his own people, was nevertheless actually a King properly so called. Now since so many and so great Authors assert that a Kingly Government both in name and thing may very well subsist even where the people, tho they do not ordinarily exercise the Supreme Power, yet have it actually residing in them, and exercise it upon occasion. Be not you of so mean a soul as to fear the down-fall of Grammar, and the confusion of the signification of words to that degree, as to betray the Liberty of Mankind, and the State,

State, rather than your Glossary should not hold water. And know for the future, that words must be conformable to things, not things to words. By this means you'll have more wit, and not *run on in infinitum*, which now you're afraid of. *It was to no purpose then, for Seneca, you say, to describe those three forms of Government, as he has done.* Let Seneca do a thing to no purpose, so we enjoy our Liberty. And if I mistake us not, we are other sort of men than to be enslav'd by Seneca's flowers. And yet Seneca, though he says that the Sovereign Power in a Kingly Government resides in a single person, says withal that *the power is the people's*, and by them committed to the King for the welfare of the whole, not for their ruin and destruction; and that the people has not given him a propriety in it, but the use of it. *Kings at this rate, you say, do not reign by God, but by the people.* As if God did not so over-rule the people, that they set up such Kings, as it pleases God. Since Justinian himself openly acknowledgeth, that the Roman Emperours derived their Authority from that Royal Law, *whereby the people granted to them and vested in them all their own power and authority.* But how oft shall we repeat these things over and over again? Then you take upon you to intermeddle with the Constitution of our Government, in which you are no ways concerned, who are both a stranger and a foreigner; but it shows your sawciness, and want of good manners. Come then, let us hear your Solœcisms, like a busie Coxcomb as you are. You tell us, but 'tis in false Latin, that *what those Desperadoes say, is only to deceive the people.* You Rascal! was it for this that you a Renegado Grammarian, were so forward to intermeddle with the affairs of our Government, that you might introduce your Solœcisms and Barbarisms amongst us? But say, how have we deceiv'd the people?

ple ? *The form of Government which they have set up, is not Popular, but Military.* This is what that herd of Fugitives and Vagabonds hired you to write. So that I shall not trouble my self to answer you, who bleat what you know nothing of, but I'll answer them that hired you. *Who excluded the Lords from Parliament, was it the people ?* Yea, it was the people ; and in so doing they threw an intollerable yoke of Slavery from off their necks. Those very Soldiers, who you say did it, were not foreigners, but our own Countrymen, and a great part of the people ; and they did it with the consent, and at the desire of almost all the rest of the people, and not without the authority of the Parliament neither. *Was it the people that cut off part of the House of Commons, forcing some away, &c.* Yes, I say, it was the people. For whatever the better and sounder part of the Senate did, in which the true power of the people resided, why may not the people be said to have done it ? What if the greater part of the Senate should chuse to be slaves, or to expose the Government to sale, ought not the lesser number to interpose, and endeavour to retain their Liberty, if it be in their power ? *But the Officers of the Army and their Soldiers did it.* And we are beholden to those Officers for not being wanting to the State, but repelling the Tumultuary violence of the Citizens and Mechanicks of London, who, like that Rabble that appear'd for *Clodius*, had but a little before beset the very Parliament House ? Do you therefore call the right of the Parliament, to whom it properly and originally belongs to take care of the Liberty of the people both in Peace and War, a Military power ? But 'tis no wonder that those Traytors that have dictated these passages to you, should talk at that rate ; so that profligate faction of *Anthony* and his adherents used to

to call the Senate of *Rome*, when they armed themselves against the enemies of their Country, The Camp of *Pompey*. And now I'm glad to understand that they of your party, envy *Cromwell*, that most valiant General of our Army, his undertaking that Expedition in *Ireland*, (so acceptable to Almighty God) surrounded with a joyful crowd of his Friends, and prosecuted with the well-wishes of the people, and the prayers of all good men: For I question not but at the news of his many Victories there, they are by this time burthened with spleen. I pass by many of your impertinencies concerning the *Roman* Soldiers. What follows is most notoriously false: *The power of the people, say you, ceases where there is a King.* By what Law or Right is that? Since it is known that almost all Kings of what Nations soever, received their Authority from the people upon certain conditions; which if the King do not perform, I wish you would inform us, why that Power, which was but a Trust, should not return to the people, as well from a King, as from a Consul, or any other Magistrate. For when you tell us, that 'tis necessary for the Publick Safety, you do but trifle with us; for the safety of the Publick is equally concerned, whether it be from a King, or from a Senate, or from a *Triumvirate*, that the power wherewith they were entrusted, revert to the people, upon their abuse of it; and yet you yourself grant that it may so revert from all sorts of Magistrates, a King only excepted. Certainly, if no people in their right wits ever committed the Government either to a King, or other Magistrates, for any other purpose, than for the common good of them all, there can be no reason why, to prevent the utter ruin of them all, they may not as well take it back again from a King, as from other
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Governors; nay, and it may with far greater ease be taken from one, than from many. And to invest any mortal creature with a power over themselves, on any other terms than upon Trust, were extreme madness; nor is it credible that any people since the Creation of the world, who had freedom of will, were ever so miserably silly, as either to depart with the power for ever, and to all purposes, or to revoke it from those whom they had entrusted with it, but upon most urgent and weighty reasons. If dissensions, if Civil Wars, are occasioned thereby, there cannot any Right accrue from thence to the King, to retain that power by force of arms, which the people challenge from him as their own. Whence it follows that what you say, and we do not deny, That *Governors are not lightly to be changed*, is true with respect to the peoples Prudence, not the King's Right; but that therefore they ought never to be changed, upon no occasion whatsoever, that does not follow by no means; nor have you hitherto alledged any thing; nor made appear any Right of Kings to the contrary, but that all the people concurring, they may lawfully be deposed, when unfit for Government; provided it may be done, as it has been often done in your own Countrey of *France*, without any Tumults or Civil Wars. Since therefore the Safety of the People, and not that of a Tyrant, is the Supreme Law, and consequently ought to be alledged on the peoples behalf against a Tyrant, and not for him against them, you that go about to pervert so sacred and so glorious a Law, with your fallacies and jugglings; you who would have this Supreme Law, and which of all others is most beneficial to mankind, to serve only for the Impunity of Tyrants, let me tell you, since you call us *Englishmen* so often *Inspired*,
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and *Entbusiasts*, and *Prophets* ; let me, I say, be so far a Prophet, as to tell you, That the Vengeance of God and man hangs over your head for so horrid a Crime ; altho your subjecting all mankind to Tyranny, as far as in you lies, which in effect is no better than condemning them to be devoured by wild beasts, is in it self part of its own Vengeance, and whithersoever you flye, and wheresoever you wander, will first or last pursue you with its Furies, and overtake you, and cause you to rave worse than you do now. I come now to your second Argument, which is not unlike the first : If the people may resume their Liberty, *there would be no difference*, you say, *betwixt a Popular State and a Kingdom ; but that in a Kingdom one man rules, and in a Popular State many.* And what if that were true ; would the State have any prejudice by it ? But you your self tell us of other differences that would be notwithstanding ; to wit, of *Time and Succession* ; for in popular States, the Magistrates are generally chosen yearly ; whereas Kings, if they behave themselves well, are perpetual ; and in most Kingdoms there is a Succession in the same Family. But let them differ from one another, or not differ, I regard not those petty things : In this they agree, That when the Publick Good requires it, the people may without doing injury to any, resume that power for the Publick Safety, which they committed to another for that end and purpose. *But by the Royal Law, by the Romans so called, which is mentioned in the Institutes, the people of Rome granted all their Power and Authority to the Prince.* They did so by compulsion ; the Emperor being willing to ratifie their Tyranny by the Authority of a Law ; but of this we have spoken before ; and their own Lawyers commenting upon this place in the Institutes, confess as much. So that

that we make no question but the people may revoke what they were forced to grant, and granted against their wills. But most rational it is to suppose, that the people of *Rome* transferred no other power to the Prince, than they had before granted to their own Magistrates ; and that was a power to govern according to Law, and a revocable, not an absurd, tyrannical power : Hence it was that the Emperors assumed the Consular Dignity, and that of the Tribunes of the people ; but after *Julius Caesar*, not one of them pretended to the Dictatorship : In the *Circus Maximus* they used to adore the people, as I have said already out of *Tacitus* and *Claudian*. But as heretofore many private persons have sold themselves into slavery, so a whole Nation may. Thou Gaol-bird of a Knight, thou day-spirit, thou everlasting scandal to thy Native-Country. The most despicable Slaves in the world ought to abhor and spit upon such a Factor for Slavery, such a publick Pander as thou art. Certainly if people had so enslaved themselves to Kings, then might Kings turn them over to other Masters, or sell them for money ; and yet we know that Kings cannot so much as alienate the Demesnes of the Crown : And shall he, that has but the Crown, and the Revenues that belong to it, as an Usufructuary, and those given him by the people, can he be said to have, as it were, purchased the people, and made them his Propriety ? Tho you were bored through both ears, and went bare-foot, you would not be so vile and despicable, so much more contemptible than all Slaves, as the broaching such a scandalous Doctrine as this makes you. But go on, and punish your self for your Rogueries, as now you do, tho against your will. You frame a long Discourse of the Law of War ; which is nothing to the purpose in this place :

place: For neither did *Charles* conquer us ; and for his Ancestors, if it were never so much granted that they did, yet have they often renounced their Title as Conquerors : And certain it is, That we were never so conquered, but that as we swore Allegiance to them, so they swore to maintain our Laws, and govern by them : Which Laws, when *Charles* had notoriously violated, taken in what capacity you will, as one who had formerly been a Conqueror, or was now a perjured King, we subdued him by force, he himself having begun with us first : And according to your own opinion, *Whatever is acquired by War, becomes his property that acquired it.* So that how full soever you are of words, how impertinent soever a babler, whatever you prate, how great a noise soever you make, what Quotations soever out of the Rabbins, tho you make your self never so hoarse, to the end of this Chapter, assure your self, That nothing of it makes for the King, he being now conquered, but all for us, who by God's assistance are Conquerors.

C H A P. VII.

TO avoid two very great inconveniences , and considering your own weight, very weighty ones indeed, you denied in the foregoing Chapter, That the Peoples Power was superior to that of the King ; for if that should be granted, Kings must provide themselves of some other name, because the people would indeed be King ; and some divisions in your System of Politicks would be confounded ; the first of which inconveniences would thwart with your Dictionary, and the latter overthrow your Politicks.

Iticks. To these I have given such an answer as shows, That tho' our own Safety and Liberty were the principal things I aimed the preservation of, yet withal, I had some consideration of salving your Dictionary, and your Politicks. Now, say you; *I will prove by other arguments, That a King cannot be judged by his own Subjects; of which Arguments this shall be the greatest and most convincing, That a King has no Peer in his Kingdom.* What? can a King have no Peer in his Kingdom? What then is the meaning of those Twelve Ancient Peers of the Kings of France? Are they Fables and Trifles? Are they called so in vain, and in mock only? Have a care how you affront those Principal men of that Kingdom: Who if they are not the King's Peers, as they are called, I am afraid your Dictionary, which is the only thing you are concerned for, will be found more faulty in France, than in England? But go to, let's hear your demonstration, that a King has no Peer in his own Kingdom. *Because, say you, the people of Rome, when they had banish'd their King, appointed not one, but two Consuls; and the reason was, That if one of them should transgress the Laws, his Colleague might be a check to him.* There could hardly have been devised any thing more silly: How came it to pass then, that but one of the Consuls had the bundles of Rods carried before him, and not both, if two were appointed, that each might have a Power over the other? And what if both had conspired against the Commonwealth? Would not the Case then be the very same that it would have been, if one Consul only had been appointed without a Colleague? But we know very well, that both Consuls, and all other Magistrates were bound to obey the Senate, whenever the Senate and the People saw, that the Interest of the Commonwealth so required. We have
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a famous instance of that in the *Decemviri*; who tho they were invested with the Power of Consuls, and were the chief Magistrates, yet the Authority of the Senate reduced them all, tho they struggled to retain their Government: Nay, we read that some Consuls before they were out of office, have been declared enemies, and Arms been taken up against them; for in those days no man looked upon him as a Consul, who acted as an Enemy. So War was waged against *Antony*, tho a Consul, by Authority of the Senate, in which being worsted, he would have been put to death, but that *Octavius*, affecting the Empire, sided with him to subvert the Commonwealth. Now whereas you say, *That it is a property pecaliam to Kingly Majesty, that the power resides in a single person*; that's but a loose expression, like the rest of what you say, and is contradicted by your self a little after: *For the Hebrew Judges*, you say, *ruled as long as they lived, and there was but one of them at a time*: The Scripture also calls them *Kings*; and yet they were accountable to the great Council. Thus we see, That an itch of Vain-glory, in being thought to have said all that can be said, makes you hardly say any thing but contradictions. Then I ask, what kind of Government that was in the Roman Empire, when sometimes Two, sometimes Three Emperors, reign'd all at once? Do you reckon them to have been Emperors, that is, Kings, or was it an *Aristocracy*, or a *Triumvirate*? Or will you deny, that the Roman Empire under *Antoninus* and *Verns*, under *Dioclesian* and *Maximian*, under *Constantine* and *Licinius*, was still but one entire Empire? If these Princes were not Kings, your Three forms of Government will hardly hold; if they were, then it is not an essential Property of a Kingly Government, to reside in a single person. If one of these of-

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send, say you, then may the other refer the matter to the Senate, or the People, where he may be accused and condemned. And does not the Senate and the People then judg, when the matter is so referred to them? So that if you will give any credit to your self, there needs not one Collegue to judg another. Such a miserable Advocate as you, if you were not so wretched a fellow as you are, would deserve compassion; you lye every way so open to blows, that if one were minded for sports-sake to make a Pass at any part of you, he could hardly miss, let him aim where he would. 'Tis ridiculous, say you, to imagine, That a King will ever appoint Judges to condemn himself. But I can tell you of an Emperor, that was no ridiculous person, but an Excellent Prince, and that was *Trajan*, who when he delivered a Dagger to a certain Roman Magistrate, as the custom was, that being the badge of his Office, frequently thus admonished him, 'Take this Sword, and use it for me, if I do as I ought, if otherwise, against me; for Miscarriages in the Supreme Magistrate are less excusable. This *Dion* and *Aurelius Victor* say of him: You see here, that a worthy Emperor appointed one to judge himself, tho he did not make him his equal. *Tiberius* perhaps might have said as much out of Vanity and Hypocrisie; but 'tis almost a crime to imagine that so good and virtuous a Prince as *Trajan*, did not really speak as he thought, and according to what he apprehended right and just. How much more reasonable was it that tho he were superior to the Senate in power, and might if he would, have refused to yield them any obedience, yet he actually did obey them, as by virtue of his office he ought to do, and acknowledged their Right in the Government to be superior to his own? For so *Pliny* tells us in his *Panegyrick* 'The Senate

'nate both desired and commanded you to be Consul
 'a fourth time ; you may know by the Obedience
 'you pay them, that this is no word of Flattery,
 'but of Power: And a little after: 'This is the
 'design you aim at, to restore our lost Liberty. And
Trajan was not of that mind alone ; the Senate
 thought so too ; and were of opinion, That their
 Authority was indeed Supreme : For they that could
 Command their Emperor, might Judge him. So
 the Emperor *Marcus Aurelius*, when *Cassius* Governor
 of *Syria* endeavoured to get the Empire from him,
 referred himself either to the Senate, or the people of
Rome, and declared himself ready to lay down the
 Government, if they would have it so. Now how
 should a man determine of the Right of Kings,
 better, and more truly, than out of the very
 mouths of the best of Kings? Indeed every
 good King accounts either the Senate, or the
 People, not only equal, but superior to himself by
 the Law of Nature : But a Tyrant being by nature
 inferior to all men, every one that is stronger than
 he, ought to be accounted not only his equal, but su-
 perior: For as heretofore nature taught men from
 Force and Violence to betake themselves to Laws,
 so wherever the Laws are set at naught, the same
 dictate of nature must necessarily prompt us to be-
 take our selves to Force again. 'To be of this opi-
 'nion, says *Cicero pro Sestio*, is a sign of Wisdom ;
 'to put it in practice, argues Courage and Resolution ;
 'to do both, is the effect of Vertue in its perfection.
 Let this stand then as a settled Maxim of the Law of
 Nature, never to be shaken by any Artifices of Flatter-
 ers, That the Senate, or the people, are superior to
 Kings, be they good or bad : Which is but what
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you your self do in effect confess, when you tell us, That the Authority of Kings was derived from the people. For that power which they transferred to Princes, doth yet naturally, or as I may say virtually reside in themselves notwithstanding ; for so natural causes that produce any effect by a certain eminency of operation, do always retain more of their own vertue and energy than they impart ; nor do they by communicating to others, exhaust themselves. You see, the closer we keep to Nature, the more evidently does the peoples power appear to be above that of the Prince. And this is likewise certain, That the people do not freely, and of choice, settle the Government in their King absolutely, so as to give him a Propriety in it ; nor by Nature can do so ; but only for the Publick Safety and Liberty ; which when the King ceaseth to take care of, then the people in effect have given him nothing at all : For Nature says the people gave it him to a particular end and purpose ; which end, if neither Nature nor the People can attain, the peoples Gift becomes no more valid, than any other void Covenant or Agreement. These Reasons prove very fully, That the People are Superior to the King ; and so your greatest and most convincing Argument, *That a King cannot be judged by his people, because he has no Peer in his Kingdom, nor any Superior,* falls to the ground. For you take that for granted, which we by no means allow. In a popular State, say you, the Magistrates being appointed by the people, may likewise be punished for their Crimes, by the people : In an Aristocracy the Senators may be punished by their Collegues : But 'tis a prodigious thing to proceed criminally against a King in his own Kingdom, and make him plead for his life. What can you conclude from

from hence, but that they who set up Kings over them, are the most miserable and most silly people in the world. But, I pray, what's the reason why the people may not punish a King that becomes a Malefactor, as well as they may popular Magistrates and Senators in an Aristocracy? Do you think that all they that live under a Kingly Government, were so strangely in love with Slavery, as when they might be free, to chuse Vassalage, and to put themselves all and entirely under the dominion of one man, who often happens to be an ill man, and often a fool, so as whatever cause might be, to leave themselves no refuge in, no relief from the Laws, nor the dictates of Nature, against the Tyranny of a most outrageous Master, when such a one happens? Why do they then tender conditions to their Kings, when they first enter upon their Government, and prescribe Laws for them to govern by? Do they do this to be trampled upon the more, and be the more laughed to scorn? Can it be imagined, that a whole people would ever so vilify themselves, depart from their own interest to that degree, be so wanting to themselves, as to place all their hopes in one man, and he very often the most vain person of them all? To what end do they require an Oath of their Kings, Not to act any thing contrary to Law? We must suppose them to do this, that (poor creatures!) they may learn to their sorrow, That Kings only may commit Perjury with impunity. This is what your own wicked Conclusions hold forth. *If a King that is elected, promise any thing to his people upon Oath, which if he would not have sworn to, perhaps they would not have chose him, yet if he refuse to perform that promise, he falls not under the peoples censure. Nay, tho he swear to his Subjects at his Election, That he will administer Justice to them according to the Laws of the*

Kingdom ; and that if he do not, they shall be discharged of their Allegiance, and himself ipso facto cease to be their King, yet if he break this oath, 'tis God and not man that must require it of him. I have transcribed these lines, not for their Elegance, for they are barbarously expressed ; nor because I think there needs any answer to them, for they answer themselves, they explode and damn themselves by their notorious falshood and loathsomness ; but I did it to recommend you to Kings for your great Merits ; that among so many places as there are at Court, they may put you into some Preferment or Office that may be fit for you ; some are Princes Secretaries, some their Cupbearers, some Masters of the Revels ; I think you had best be Master of the Perjuries to some of them ; You sha'nt be Master of the Ceremonies, you are too much a Clown for that ; but their Treachery and Perfidiousness shall be under your care. But that men may see that you are both a Fool and a Knave to the highest degree, let us consider these last assertions of yours a little more narrowly ; *A King, say you, tho he swear to his Subjects at his Election that he will govern according to Law, and that if he do not, they shall be discharged of their Allegiance, and he himself, ipso facto, cease to be their King ; yet can he not be deposed or punished by them.* Why not a King, I pray, as well as popular Magistrates ? Because in a popular State, the People do not transfer all their Power to the Magistrates. And do they in the Case that you have put, vest it all in the King, when they place him in the Government upon those terms expressly, to hold it no longer than he useth it well ? So that it is evident, that a King sworn to observe the Laws, if he transgress them, may be punished and deposed, as well as popular Magistrates. So, that you can make no more use of that

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invincible Argument of the Peoples transferring all their Right and Power into the Prince; you your self have battered it down with your own Engines. Hear now another *most powerful and invincible Argument* of his, why Subjects cannot judge their Kings, *because he is bound by no Law, being himself the sole Lawgiver.* Which having been proved already to be most false, this great reason comes to nothing, as well as the former. But the reason why Princes have but seldom been proceeded against for personal and private Crimes, as Whoredom, and Adultery, and the like, is not because they could not justly be punished even for such, but lest the People should receive more prejudice through disturbances that might be occasioned by the King's Death, and the change of Affairs, than they would be profited by the punishment of one Man or two. But when they begin to be universally injurious and insufferable, it has always been the Opinion of all Nations, that then, being Tyrants, it is lawful to put them to Death any how, condemn'd or uncondemn'd. Hence *Cicero* in his *Second Phillipick*, says thus of those that kill'd *Cæsar*, 'They were the first that ran through with their Swords, not a Man who affected to be King, but who was actually settled in the Government; which, as it was a worthy and godlike Action, so it's set before us for our imitation. How unlike are you to him! Murder, Adultery, Injuries, are not regal and publick, but private and personal Crimes. Well said Parasite! you have obliged all Pimps and Profligates in Courts by this Expression. How ingeniously do you act, both the Parasite, and the Pimp, with the same breath? A King that is an Adulterer, or a Murderer, may yet govern well, and consequently ought not to be put to Death, because together with his Life he must lose his

Kingdom; and it was never yet allowed by God's Laws, or Man's, that for one and the same Crime, a Man was to be punished twice. Infamous foul-mouth, Wretch! By the same reason the Magistrates in a popular State, or in an *Aristocracy*, ought never to be put to Death, for fear of double Punishment; no Judge, no Senator must dye, for they must lose their Magistracy too, as well as their Lives. As you have endeavoured to take all Power out of the Peoples hands, and vest it in the King, so you would all Majesty, too: A delegated, translatitious Majesty we allow, but that Majesty does chiefly and primarily reside in him, you can no more prove, than you can, that Power and Authority does. A King, you say, cannot commit Treason against his People, but a People may against their King. And yet a King is what he is for the People only, not the People for him. Hence I infer, that the whole Body of the People, or the greater part of them must needs have greater Power than the King. This you deny, and begin to cast up accounts. He is of greater Power than any one, than any two, than any three, than any ten, than any hundred, than any thousand, than any ten thousand; be it so, He is of more Power than half the People. I will not deny that neither; Add now half of the other half, will he not have more Power than all those? Not at all. Go on; why do you take away the Board? Do you not understand Progression in Arithmetick? He begins to reckon after another manner. Has not the King, and the Nobility together, more Power? No, Mr Changeling, I deny that too. If by the Nobility, whom you stile *Optimates*, you mean the Peers only; for it may happen, that amongst the whole number of them, there may not be one Man deserving that Appellation; for it often falls out, that there are better and wiser Men than they amongst

amongst the Commons, whom in Conjunction with the greater, or the better part of the People, I should not scruple to call by the Name of, and take them for all the People. But if the King is not Superior in Power to all the People together, he is then a King but of single Persons, he is not the King of the whole Body of the People. You say well, no more he is, unless they are content he should be so. Now, balance your accounts, and you will find that by miscasting, you have lost your Principal. The English say, that the Right of Majesty originally and principally resides in the People; which Principle would introduce a Confusion of all States. What, of an Aristocracy and Democracy? But let that pass. What if it would overthrow a Gynæcocracy too? (i. e. a Government of one or more Women) under which State or Form of Government, they say, you are in danger of being beaten at home; would not the English do you a kindness in that, you sheepish Fellow, you? But there's no hope of that. For 'tis most justly so ordered, since you would subject all Mankind to Tyranny abroad, that you your self should live in a scandalous, most unmanlike Slavery at home. We must tell you, you say, what we mean by the word People. There are a great many other things, which you stand more in need of being told: For of things that more immediately concern you, you seem altogether ignorant, and never to have learnt any thing but Words and Letters, nor to be capable of any thing else. But this you think you know, that by the word People, we mean the Common People only, exclusive of the Nobility, because we have put down the House of Lords. And yet that very thing shows, that under the word People, we comprehend all our Natives, of what Order and Degree soever; in that

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we have settled one Supreme Senate only, in which the Nobility also, as a part of the People, not in their own Right, as they did before; but Representing those Burroughs or Counties, for which they may be chose, may give their Votes. Then you inveigh against the Common People, as being *Blind and Brutish, Ignorant of the Art of Governing*, you say there's *nothing more Empty, more Vain, more Inconstant, more Uncertain than they*. All which is very true of your self, and it's true likewise of the Rabble, but not of the middle sort, amongst whom the most prudent Men, and most skilful in Affairs are generally found; others are most commonly diverted either by Luxury and Plenty, or by Want and Poverty, from Virtue, and the Study of Laws and Government. *There are many ways*, you say, *by which Kings come to the Crown, so as not to be beholden to the People at all for it; and especially, those that inherit a Kingdom*. But those Nations most certainly be Slaves, and born to Slavery, that acknowledge any one to be their Lord and Master so absolutely, as that they are his inheritance, and come to him by descent, without any Consent of their own; they deserve not the Appellation of Subjects, nor of Freemen, nor can they be justly reputed such; nor are they to be accounted as a Civil Society, but must be looked on as the Possessions and Estate of their Lord, and his Family: For I see no difference as to the Right of Ownership betwixt them, and Slaves, and Beasts. Secondly, *They that come to the Crown by Conquest, cannot acknowledge themselves to have receiv'd from the People, the Power they usurp*. We are not now discoursing of a Conqueror, but of a Conquered King; what a Conqueror may lawfully do, we'll discourse elsewhere; do you keep to your Subject.

Subject. But whereas you ascribe to Kings that Ancient Right that Masters of Families have over their Households, and take an example from thence of their absolute Power, I have shown already over and over, that there is no likeness at all betwixt them. And *Aristotle*, whom you name so often, if you had read him, would have taught you as much in the beginning of his Politicks, where he says they judge amiss that think there is but little difference betwixt a King, and a Master of a Family : *For that there is not a numerical, but a specifical Difference betwixt a Kingdom and a Family.* - For when Villages grew to be Towns and Cities, that Regal Domestick Right vanished by degrees, and was no more owned. Hence *Diodorus* in his first Book says, That anciently Kingdoms were transmitted not to the former King's Sons, but to those that had best deserved of the People. And *Justine*, 'Originally, says he, the Government of Nations, and of Countries, was by Kings, who were exalted to that height of Majesty, not by popular Ambition, but for their Moderation which commended them to good Men. Whence it is manifest, that in the very beginning of Nations, that Fatherly and Hereditary Government gave way to virtue, and the peoples right. Which is the most natural reason and cause, and was the true rise of Kingly Government. For at first, men entred into Societies, not that any one might insult over all the rest, but that in case any should injure other, there might be Laws and Judges to protect them from wrong, or at least to punish the wrong doers. When men were at first dispers'd and scattered asunder, some wise and eloquent man perswaded them to enter into Civil Societies ; *that he himself, say you, might exercise Dominion over them, when so united.*

Perhaps

Perhaps you meant this of *Nimrod*, who is said to have been the first Tyrant. Or else it proceeds from your own malice only, and certainly it cannot have been true of those great and generous spirited men, but is a fiction of your own, not warranted by any authority that I ever heard of. For all ancient Writers tell us, that those first Instituters of Communities of men, had a regard to the good and safety of Mankind only, and not to any private advantages of their own, or to make themselves great or powerful. One thing I cannot pass by, which I suppose you intended for an Emblem, to set off the rest of this Chapter: *If a Consul, say you, had been to be accused before his Magistracy expired, there must have been a Dictator created for that purpose; though you had said before, that for that very reason there were two of them.* Just so your Positions always agree with one another, and almost every Page declares how weak and frivolous whatever you say or write upon any subject, is. *Under the ancient English-Saxon Kings, you say, the people were never called to Parliaments.* If any of our own Country-men had asserted such a thing, I could easily have convinced him that he was in an error. But I am not so much concerned at your mistaking our affairs, because y^e are a Foreigner. This in effect is all you say of the Right of Kings in general. Many other things I omit, for you use many digressions, and put things down that either have no ground at all, or are nothing to the purpose, and my design is not to vye with you in impertinence.

C H A P. VIII.

IF you had published your own opinion, *Salmafius*, concerning the Right of Kings in general, without affronting any persons in particular, yet, notwithstanding this alteration of affairs in *England*, as long as you did but use your own liberty in writing what your self thought fit, no *English* man could have had any cause to have been displeased with you, nor would you have made good the opinion you maintain, ever a whit the less. For if it be a positive command both of *Moses* and of *Christ* himself, *That all men whatsoever, whether Spaniards, French, Italians, Germans, English or Scotch, should be subject to their Princes, be they good or bad*, which you asserted (*Page 127.*) to what purpose was it for you, who are a foreigner and unknown to us, to be tampering with our Laws, and to read us Lectures out of them as out of your own Papers and Miscellanies, which, be they how they will, you have taught us already in a great many words, that they ought to give way to the *Laws of God*. But now it is apparent that you have undertaken the defence of this Royal Cause, not so much out of your own inclination, as partly because you were hired, and that at a good round price too, considering how things are with him, that set you on work; and partly, 'tis like, out of expectation of some greater-reward hereafter, to publish a scandalous Libel against the *English*, who are injurious to none of their Neighbours, and meddle with their own matters only. If there were no such thing as that in the case, is it credible that any man should be so impudent or so mad, as though he be a stranger, and at a great

great distance from us, yet of his own accord to intermeddle with our affairs, and side with a party? What, the Devil, is it to you what the *English* do amongst themselves? What would you have, Pragmatical Puppy? what would ye be at? Have you no concerns of your own at home? I wish you had the same concerns that that famous *Olus*, your fellow busie-bosie body, in the *Epigram* had; and perhaps so you have; you deserve them I'm sure. Or did that Hotspur your Wife, who encouraged you to write what you have done, for out-law'd *Charles* his sake, promise you some profitable Professors place in *England*, and God knows what Gratifications at *Charles* his Return? But assure your selves, my Mistress and my Master, that *England* admits neither of *Wolfses*, nor

St. Lou, in *Latin*, *Sanctus Lupus*; Saint Wolf, is the name of a place in *France*, where *Salmasius* had some small Estate, and was called so from St. *Lupus* a German Bishop, who with St. German came over into *England*, *Anno Dom.* 429.

Owners of *Wolfses*: So that it's no wonder you spit so much venom at our *English* Mastiffs. It were better for you to return to those Illustrious Titles of yours in *France*, first to that hunger-starved Lordship of yours at St. Lou; and in the next place to the Sacred Consistory of the most Christian King. Being a Counsellor to the Prince, you are at too great a distance from your own Country. But I see full well that she neither desires you, nor your Counsel; nor did it appear she did, when you were there a few years ago, and began to lick a Cardinal's Trencher; she's in the right, by my troth, and can very willingly suffer such a little fellow as you, that are but one half of a man, to run up and down with your Mistress of a Wife, and Desks full of Trifles and Fooleries, till you light some where

where or other upon a Stipend, large enough for a Knight of the Grammar, or an Illustrious Critick on Horseback; if any Prince or State has a mind to hire a Vagabond Doctor that is to be sold at a good round Price. But here's one that will bid for you; whether you're a Merchantable Commodity or not, and what you are worth we shall see by and by. You say, *The Parricides assert, that the Government of England is not meerly Kingly, but that it is a mixt Government.* Sir Thomas Smith, a Country-man of ours in Edward the Sixth's days, a good Lawyer, and a Statesman, one whom you your self will not call a Parricide, in the beginning of a Book which he wrote of *the Commonwealth of England*, asserts the same thing, and not of our Government only, but of almost all others in the world, and that out of *Aristotle*; and he says it is not possible that any Government should otherwise subsist. But as if you thought it a crime to say any thing, and not unsay it again, you repeat your former thread-bare Contradictions: You say, *There neither is nor ever was any Nation that did not understand by the very name of a King, a person whose authority is inferior to God alone, and who is accountable to no other.* And yet a little after you confess, *that the name of a King was formerly given to such Powers and Magistrates, as had not a full and absolute right of themselves, but had a dependance upon the people, as the Suffetes among the Carthaginians, the Hebrew Judges, the Kings of the Lacedemonians, and of Arragon.* Are you not very consistent with your self? Then you reckon up five several sorts of Monarchies out of *Aristotle*; in one of which only that Right obtain'd, which you say is common to all Kings. Concerning which I have said already more than once, that neither doth *Aristotle* give an instance of any such Monarchy, nor was there ever any such in being; the other

other four he clearly demonstrates that they were bounded by Establish'd Laws,* and the King's Power subject to those Laws. The first of which four was that of the *Lacedemonians*, which in his opinion did of all others best deserve the name of a Kingdom. The second was such as obtain'd among Barbarians, which was lasting, because regulated by Laws, and because the people willingly submitted to it; whereas by the same Author's opinion in his third Book, what King so ever retains the Sovereignty against the people's will, is no longer to be accounted a King, but a downright Tyrant; all which is true likewise of his third sort of Kings, which he calls *Æsymnete*, who were chosen by the people, and most commonly for a certain time only, and for some particular purposes, such as the *Roman Dictators* were. The fourth sort he makes of such as reigned in the Heroical days, upon whom for their extraordinary merits the people of their own accord conferr'd the Government, but yet bounded by Laws; nor could these retain the Sovereignty against the will of the people; nor do these four sorts of Kingly Governments differ, he says, from Tyranny in any thing else, but only in that these Governments are with the good liking of the people; and That against their will. The fifth sort of Kingly Government, which he calls *αὐτοκρατία*, or absolute Monarchy, in which the Supreme Power resides in the King's person, which you pretend to be the right of all Kings, is utterly condemn'd by the Philosopher, as neither for the good of Mankind, nor consonant to Justice or Nature, unless some people should be content to live under such a Government, and withal confer it upon such as excel all others in vertue. These things any man may read in the third Book of his *Politicks*. But you, I believe, that once in your life you might appear witty and

and florid, pleased your self with making a comparison *betwixt* these five sorts of Kingly Government, and the five Zones of the World; *betwixt* the two extremes of Kingly power, there are three more temperate Species interposed, as there lie three Zones *betwixt* the Torrid and the Frigid. Pretty Rogue! what ingenious comparisons he always makes us! May you be for ever banished, whether you your self condemn an *absolute Kingdom* to be, to wit, to the frigid Zone, which when you are there, will be doubly cold to what it was before. In the mean while we shall expect that new fashioned sphere which you describe, from you our modern *Archimedes*, in which there shall be two extreme Zones, one Torrid, and the other Frigid, and three temperate ones lying *betwixt*. The Kings of the Lacedæmonians, you say, *might lawfully be Imprisoned, but it was not lawful to put them to Death*. Why not? Because the Ministers of Justice, and some Foreign Soldiers, being surpris'd at the Novelty of the thing, thought it not lawful to lead *Agis* to his Execution, though condemn'd to die? And the people of *Lacedæmon* were displeas'd at his death, not because condemn'd to die, though a King, but because he was a good man and popular, and had been circumvented by a faction of the great ones. Says *Plutarch*, "*Agis* was the first King that was put to death by the *Ephori*;" in which words he does not pretend to tell us what lawfully might be done, but what actually was done. For to imagin that such as may lawfully accuse a King, and imprison him, may not also lawfully put him to death, is a childish conceit. At last you betake your self to give an account of the Right of *English Kings*. There never was, you say, but one King in England. This you say, because you had said before, that *unless a King be sole in the Government, he cannot be a King*. Which if it be true, some of

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them, who I had thought had been Kings of England, were not really so; for to omit many of our Saxon Kings, who had either their Sons, or their Brothers Partners with them in the Government, it is known that King Henry the Second of the Norman Race, reign'd together with his Son. *Let them show, say you, a President of any Kingdom under the Government of a single person, who has not an absolute power; though in some Kingdoms more remiss, in others more intense.* Do you show any Power that's absolute, and yet remiss, you As; is not that power that's absolute, the Supreme Power of all? How can it then be both supreme and remiss? Whatsoever Kings you shall acknowledg to be invested with a remiss (or a less) power, those I will easily make appear to have no absolute power; and consequently to be inferior to a People, free by nature, who is both its own Law-giver, and can make the Regal Power more or less intense or remiss; that is, greater or less. Whether the whole Island of Britain was anciently Governed by Kings, or no, is uncertain. It's most likely that the form of their Government changed according to the Exigencies of the times. Whence Tacitus says, *The Britains anciently were under Kings; now the great men amongst them divide them into Parties and Factions.* When the Romans left them, they were about forty years without Kings; they were not always therefore under a Kingly Government, as you say they were; but when they were so, that the Kingdom was Hereditary, I positively deny; which that it was not, is evident both from the Series of their Kings, and their way of Creating them; for the consent of the people is asked in express words. When the King has taken the accustomed Oath, the Archbishop stepping to every side of the Stage erected for that purpose, asks the

the people four several times, in these words, *Do you consent to have this man to be your King ?* Just as if he spoke to them in the *Roman* Scile, *Vultis, Jubetis hunc Regnare ?* 'Is it your pleasure, do you appoint this man to Reign ? Which would be needless, if the Kingdom were by the Law hereditary : But with Kings, Usurpation passes very frequently for Law and Right. You go about to ground *Charter's* Right to the Crown, who was so often conquered himself, upon the Right of Conquest. *William*, surnamed the Conqueror, forsooth, subdued us. But they who are not strangers to our History, know full well, that the Strength of the *English* Nation was not so broken in that one Fight at *Hastings*, but that they might easily have renewed the War. But they chose rather to accept of a King, than to be under a Conqueror and a Tyrant : They swear therefore to *William*, to be his Liege-men, and he swears to them at the Altar, to carry to them as a good King ought to do in all respects. When he broke his word, and the *English* betook themselves again to their Arms, being dissident of his strength, he renewed his Oath upon the Holy Evangelists, to observe the Ancient Laws of *England*. And therefore, if after that he miserably oppressed the *English*, (as you say he did) he did it not by Right of Conquest, but by Right of Perjury. Besides, it is certain, that many ages ago, the Conquerors and Conquered coalesced into one and the same people : So that that Right of Conquest, if any such ever were, must needs have been antiquated long ago. His own words at his death, which I give you out of a *French Manuscript* written at *Cane*, put all out of doubt: *I appoint no man (says he) to inherit the Kingdom of England.* By which words, both his pretended Right of Conquest, and the Hereditary Right, were

disclaim'd at his death, and buried together with him. I see now that you have gotten a place at Court, as I foretold you would ; you are made the King's Chief Treasurer and Steward of his Court-Craft : And what follows, you seem to write *ex Officio*, as by virtue of your Office, Magnificent Sir. *If any preceding Kings, being thereunto compelled by Factions of Great Men, or Seditions amongst the Common People, have receded in some measure from their Right, that cannot prejudice the Successor ; but that he is at liberty to resume it.* You say well ; if therefore at any time our Ancestors have through neglect lost any thing that was their Right, why should that prejudice us their Posterity ? If they would promise for themselves to become Slaves, they could make no such promise for us ; who shall always retain the same Right of delivering our selves out of Slavery, that they had of enslaving themselves to any whomsoever. You wonder how it comes to pass that a King of *Great Britain* must now-a-days be looked upon as one of the Magistrates of the Kingdom only ; whereas in all other Kingly Governments in *Christendom*, Kings are invested with a Free and Absolute Authority. For the *Scots*, I remit you to *Buchanan* ; For *France*, your own Native Countrey, to which you seem to be a stranger, to *Hottoman's Franco-Gallia*, and *Girardus a French Historian* ; for the rest, to other Authors, of whom none that I know of, were *Independents* : Out of whom you might have learned a quite other lesson concerning the Right of Kings, than what you teach. Not being able to prove that a Tyrannical Power belongs to the Kings of *England* by Right of Conquest, you try now to do it by Right of Perjury. Kings profess themselves to Reign *By the Grace of God* : What if they had professed themselves to be gods ? I believe if

if they had, you might easily have been brought to become one of their Priests. So the Archbishops of *Canterbury* pretended to Archbishop it by *Divine Providence*. Are you such a fool, as to deny the Pope's being a King in the Church, that you may make the King greater than a Pope in the State? But in the Statutes of the Realm the King is called our *Lord*. You are become of a sudden a wonderful *Nomenclator* of our Statutes: But you know not that many are called Lords and Masters, who are not really so: You know not how unreasonable a thing it is to judge of Truth and Right by Titles of Honour, not to say of Flattery. Make the same Inference, if you will, from the Parliament's being called the *King's Parliament*; for it is called the King's Bridle too; or a Bridle to the King; and therefore the King is no more Lord or Master of his Parliament, than a Horse is of his Bridle. But why not the King's Parliament, since the *King summons them*? I'll tell you why; because the Consuls used to indict a Meeting of the Senate, yet were they not Lords over that Council. When the King therefore summons or calls together a Parliament, he does it by vertue and in discharge of that Office, which he has received from the people, that he may advise with them about the weighty affairs of the Kingdom, not his own particular Affairs: Or when at any time the Parliament debated of the King's own Affairs, if any could properly be called his own, they were always the last things they did; and it was in their choice when to debate of them, and whether at all or no, and depended not upon the King's Pleasure: And they whom it concerns to know this, know very well, That Parliaments anciently, whether summoned or not, might by Law meet twice a Year: But the Laws are called

too, *The King's Laws*. These are flattering ascriptions; a King of England can of himself make no Law: For he was not constituted to make Laws, but to see those Laws kept, which the People made. And you your self here confess, That *Parliaments Meet to make Laws*: Wherefore the Law is also called the Law of the Land, and the Peoples Law. Whence King *Estrelane* in the Preface to his Laws, speaking to all the People, *I have granted you every thing*, says he, *by your own Law*. And in the form of the Oath, which the Kings of England used to take before they were made Kings, The People stipulate with them thus; *Will you grant those Just Laws, which the People shall chuse?* The King Answers, *I will*. And you are infinitely mistaken in saying, That *When there is no Parliament sitting, the King Governs the whole state of the Kingdom, to all intents and purposes, by a Regal Power*. For he can determine nothing of any moment, with respect to either Peace or War; nor can he put any stop to the Proceedings of the Courts of Justice. And the Judges therefore Swear, That they will do nothing Judicially, but according to Law, tho the King by Word, or Mandate, or Letters under his own Seal, should command the contrary. Hence it is that the King is often said in our Law to be an *Infant*; and to possess his Rights and Dignities, as a Child or a Ward does his: See the *Mirror*, cap. 4. Sect. 22. And hence is that common saying amongst us, That *the King can do no wrong*: Which you, like a Rascal, interpret thus, *Whatever the King does, is no Injury, because he is not liable to be punished for it*. By this very Comment, if there were nothing else, the wonderful Impudence and Villany of this fellow, discovers it self sufficiently: *It belongs to the Head, you say, to command, and not to the Members: The King is the Head of the Parliament.*

ment. You would not trifle thus, if you had any guts in your brains. You are mistaken again (but there's no end of your mistakes) in not distinguishing the King's Counsellors from the States of the Realm. For neither ought he to make choice of all of them, nor of any of these, which the rest do not approve of; but for electing any Member of the House of Commons, he never so much as pretended to it. Whom the people appointed to that Service, they were severally chosen by the Votes of all the people in their respective Cities, Towns, and Counties. I speak now of things universally known, and therefore I am the shorter. But you say, *'Tis false that the Parliament was instituted by the people, as the Worshippers of Saint Independency assert.* Now I see why you took so much pains in endeavouring to subvert the Papacy; you carry another Pope in your belly, as we say. For what else should you be in labour of, the Wife of a Woman, a He-Wolf, impregnated by a She-Wolf, but either a Monster, or some new sort of Papacy? You now make He-Saints, and She-Saints at your pleasure, as if you were a true genuine Pope. You absolve Kings of all their sins; and as if you had utterly vanquish'd and subdu'd your Antagonist the Pope, you adorn your self with his spoils. But because you have not yet profligated the Pope quite, till the Second and Third, and perhaps the Fourth and Fifth Part of your Book of his Supremacy come out, which Book will nauseate a great many Readers to death, sooner than you'll get the better of the Pope by it; let it suffice you in the mean time, I beseech you, to become some Antipope or other: There's another She-Saint, besides that Independency that you deride, which you have Canonized in good earnest; and that is, the Tyranny of Kings: You shall therefore by

my consent be the High Priest of Tyranny ; and that you may have all the Pope's Titles, you shall be a *Servant of the Servants*, not of God, but of the Court. For that Curse pronounced upon *Canaan*, seems to stick as close to you, as your Shirt. You call the People, a *Beast*. What are you then your self ? For neither can that Sacred Consistory, nor your Lordship of *St. Lou*, exempt you its Master from being one of the People, nay, of the Common People ; nor can make you other than what you really are, a most loathsome *Beast*. Indeed, the Writings of the Prophets shadow out to us the Monarchy and Dominion of Great Kings by the Name, and under the Resemblance of a Great *Beast*. You say, That *there is no mention of Parliaments held under our Kings, that reigned before William the Conqueror*. It is not worth while to Jangle about a *French* word : The thing was always in being ; and you your self allow that in the *Saxon* times, *Concilia Sapientum Wittena-gemots*, are mentioned. And there are wise Men among the Body of the People, as well as amongst the Nobility. But in the *Statute of Merton made in the twentieth year of King Henry the 3d, the Earls and Barons are only named*. Thus you are always imposed upon by words, who yet have spent your whole Life in nothing else but words ; for we know very well that in that age, not only the Guardians of the Cinque-Ports, and Magistrates of Cities, but even Tradesmen are sometimes called *Barons* ; and without doubt they might much more reasonably call every Member of Parliament, tho never so much a *Commoner*, by the Name of a *Baron*. For that in the fifty second Year of the same King's Reign, the *Commoners* as well as the *Lords* were summoned, the *Statute of Marlbridge*, and most other *Statutes*, declare in express words, which
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Commoners King *Edward the Third*, in the Preface to the Statute-Staple, calls, *Magnates Comitatum; The Great Men of the Counties*, as you very learnedly quote it for me; those to wit, *That came out of the several Counties, and served for them*; which number of Men constituted the House of Commons, and neither were Lords, nor could be. Besides, a Book more Ancient than those Statutes, called, *Modus habendi Parliamenta*, i. e. *The manner of holding Parliaments*; tells us, That the King, and the Commons may hold a Parliament, and enact Laws, tho the Lords, the Bishops are absent; but that with the Lords, and the Bishops, in the Absence of the Commons, no Parliament can be held. And there's a reason given for it, *viz.* because Kings held Parliaments and Councils with their People before any Lords or Bishops were made; besides, the Lords serve for themselves only, the Commons each for the County, City, or Burrough that sent them. And that therefore the Commons in Parliament represent the whole Body of the Nation; in which respect they are more worthy, and every way preferable to the House of Peers. *But the power of Judicature*, you say, *never was invested in the House of Commons*. Nor was the King ever possessed of it: Remember tho, that originally all Power proceeded, and yet does proceed from the People. Which *Marcus Tullius*, excellently well shows in his Oration, *De lege Agraria, Of the Agrarian Law*. 'As all Powers, Authorities, and
'publick Administrations ought to be derived from
'the whole Body of the People; so those of them
'ought in an especial manner so to be derived, which
'are ordained and appointed for the Common Benefit
'and Interest of all; to which Employments every
'particular Person, may both give his Vote for the
'chusing

' chusing such Persons, as he thinks will take most
 ' care of the Publick, and withal by voting and
 ' making Interest for them, lay such Obligations up-
 ' on them, as may entitle them to their Friendship,
 ' and good Offices in time to come. Here you see
 the true rise and original of Parliaments, and that it
 was much ancients than the *Saxon* Chronicles. Whilst
 we may dwell in such a light of Truth and Wis-
 dom, as *Cicero's* Age afforded, you labour in vain
 to blind us with the darkness of obscurer times. By
 the saying whereof, I would not be understood to
 derogate in the least from the Authority and Pru-
 dence of our Ancestors, who most certainly went
 further in the enacting of good Laws, than either
 the Ages they lived in, or their own Learning or
 Education seem to have been capable of; and tho
 sometimes they made Laws that were none of the
 best, yet as being conscious to themselves of the Ig-
 norance and Infirmary of Humane Nature, they have
 conveyed this Doctrine down to Posterity, as the
 foundation of all Laws, which likewise all our Law-
 yers admit, That if any Law, or Custom, be contra-
 ry to the Law of God, of Nature, or of Reason,
 it ought to be looked upon as null and void. Whence
 it follows, that tho it were possible for you to disco-
 ver any Statute, or other publick Sanction, which
 ascribed to the King a Tyrannical Power, since that
 would be repugnant to the Will of God, to Nature,
 and to right Reason, you may learn from that ge-
 neral and primary Law of ours, which I have just
 now quoted, that it will be null and void. But you
 will never be able to find that any such Right of
 Kings has the least Foundation in our Law. Since
 it is plain therefore, that the Power of Judica-
 ture was originally in the People themselves, and
 that

that the People never did by any Royal Law part with it to the King, (for the Kings of *England* neither use to judge any Man, nor can by the Law do it, otherwise than according to Laws settled and agreed to: *Fleta*, Book 1. Cap. 17.) It follows, that this Power remains yet whole and entire in the People themselves. For that it was either never committed to the House of Peers, or if it were, that it may lawfully be taken from them again, you your self will not deny. But, *It is in the King's Power*, you say, *to make a Village into a Burrough, and that into a City; and consequently, the King does in effect create those that constitute the Commons House of Parliament.* But, I say, that even Towns and Burroughs are more Ancient than Kings; and that the People is the People, tho they should live in the open Fields. And now we are extremely well pleased with your *Anglicisms*, *COUNTY COURT, THE TURNE, HUNDREDA*: you have quickly learnt to count your hundred *Jacobusses* in *English*.

*Quis expedit Salmasio suam HUNDREDAM?
 Picamque docuit verba nostra canari?
 Magister artis venter, & Jacobei
 Centum, exulantis viscera marsupii Regis.
 Quod si dolosi spes refulserit nummi,
 Ipse Anticristi modo qui Primatum Pape
 Minatus uno est dissipare sufflatu,
 Cantabit ultro Cardinalitium melos.*

Who taught *Salmasius* that *French* chatt'ring *Pye*,
 To aim at *English* and *HUNDREDA* cry?
 The starving Rascal, flusht with just a *Hundred*
English Jacobusses, *HUNDREDA* blunder'd.

An

An out-law'd King's last stock.---A hundred more,
 Would make him Pimp for th' Anchristian Whore ;
 And in Rome's praise employ his poyson'd Breath,
 Who threatn'd once to stink the Pope to death.

The next thing you do is to trouble us with a long Discourse of the Earls and the Barons, to show that the King made them all ; which we readily grant, and for that reason they were most commonly at the King's beck ; and therefore we have done well to take care, that for the future they shall not be Judges of a free People ? You affirm, *That the Power of calling Parliaments as often as he pleases, and of dissolving them when he pleases, has belonged to the King time out of mind.* Whether such a vile, mercenary Foreigner as you, who transcribe what some Fugitives dictate to you, or the express Letter of our ^{own} Laws are more to be credited in this matter, we shall enquire hereafter. But, say you, *there is another argument, and an invincible one, to prove the Power of the Kings of England Superior to that of the Parliament ; the King's Power is perpetual and of course, whereby he administers the Government singly without the Parliament ; that of the Parliament is extraordinary, or out of course, and limited to particulars only, nor can they Enact any thing so as to be binding in Law, without the King.* Where does the great force of this argument lye ? in the words of *course and perpetual ?* Why many inferior Magistrates have an ordinary and perpetual power, those whom we call Justices of Peace. Have they therefore the Supreme Power ? and I have said already, that the King's Power is committed to him, to take care, by interposing his Authority, that nothing be done contrary to Law, and that he may see to the due observation of our Laws, not to top his own upon us ;
 and

and consequently that the King has no Power out of his Courts; nay all the ordinary power is rather the peoples, who determine all Controversies themselves by Juries of Twelve Men. And hence it is that when a Malefactor is asked at his Arraignment, *How will you be tried?* he answers always according to Law and Custom, *by God and my Country*; not by God and the King, or the King's Deputy. But the authority of the Parliament, which indeed and in truth is the Supreme power of the people committed to that Senate, if it may be called Extraordinary, it must be by reason of its Eminence and Superiority; else it is known they are called *Ordines*, and therefore cannot properly be said to be *extra ordinem*, out of order; and if not actually, as they say, yet virtually they have a perpetual power and authority over all Courts and ordinary Magistrates, and that without the King. And now it seems our barbarous terms grate upon your Critical ears, forsooth! whereas, if I had leisure, or that it were worth my while, I could reckon up so many Barbarisms of yours in this one Book, as if you were to be chastiz'd for them as you deserve, all the School-boys Ferulers in *Christendom* would be broken upon you; nor would you receive so many Pieces of Gold as that wretched Poet did of old, but a great many more Boxes o'th' ear. You say, *'Tis a Prodigy more monstrous than all the most absurd Opinions in the world put together, that the Bedlams should make a distinction betwixt the King's Power and his Person.* I will not quote what every Author has said upon this subject; but if by the words *Personam Regis*, you mean what we call in English, the *Person of the King*; Chrysostome, who was no Bedlam, might have taught you, that it is no absurd thing to make a distinction betwixt that
and

and his power ; for that Father explains the Apostles command of being subject to the Higher Powers, to be meant of the thing, the Power it self, and not of the Persons of the Magistrates. And why may not I say that a King, who acts any thing contrary to Law, acts so far forth as a private person, or a Tyrant, and not in the capacity of a King invested with a Legal Authority ? If you do not know that there may be in one and the same man more *Persons* or *Capacities* than one, and that those *Capacities* may in thought and conception be severed from the man himself, you are altogether ignorant both of *Logic* and Common-sense. But this you say to absolve Kings from all sin and guilt ; and that you may make us believe that you are gotten into the Chair your self, which you have pull'd the Pope out of : *The King*, you say, *is supposed not capable of committing any crime, because no punishment is consequential upon any crime of his*. Whoever therefore is not punished, offends not ; it is not the theft, but the punishment that makes the thief. *Salmafus* the Grammarian commits no *Solecisms* now, because he is from under the Ferular ; when you have overthrow'd the Pope, let these, for God's sake, be the Canons of your Pontificate, or at least your Indulgences, whether you shall chuse to be called the High Priest, St. Tyranny, or of St. Slavery I pass by the Reproachful language which towards the latter end of the Chapter you give the State of the Commonwealth, and the Church of *England* ; 'tis common to such as you are, you contemptible Varlet, to rail at those things most, that are most praise-worthy. But that I may not seem to have asserted any thing rashly concerning the Right of the Kings of *England*, or rather concerning the Peoples Right with respect to their Princes ;

Princes; I will now alledg out of our ancient Histories a few things indeed of many, but such as will make it evident that the *English* lately tried their King according to the settled Laws of the Realm, and the Customs of their Ancestors. After the *Romans* quitted this Island, the *Britains* for about forty years were *sui Juris*, and without any Kings at all. Of whom those they first set up, some they put to death. And for that, *Gildas* reprehends them, not as you do, for killing their Kings, but for killing them uncondemned, and (to use his own words) *Non pro veri examinatione*, without inquiring into the matter of fact. *Vortigern* was for his Incestuous Marriage with his own Daughter, condemn'd, as *Nennius* informs us, the most ancient of all our Historians next to *Gildas*, by St. *German*, and a General Council of the *Britains*, and his Son *Vortimer* set up in his stead. This came to pass not long after St. *Augustine's* death, which is enough to discover how foolish you are, to say, as you have done, that it was a *Pope*, and *Zachary* by name, who first held the lawfulness of judging Kings. About the year of our Lord 600, *Mercantius*, who then Reign'd in *Wales*, was by *Ondecius* Bishop of *Llandaff*, condemn'd to Exile, for the Murder of his Uncle, though he got the Sentence off by bestowing some Lands upon the Church. Come we now to the *Saxons*, whose Laws we have, and therefore I shall quote none of their Presidents. Remember that the *Saxons* were of a *German* Extract, who neither invested their Kings with any absolute, unlimited power, and consulted in a Body of the more weighty affairs of Government; whence we may perceive that in the time of our *Saxon* Ancestors *Parliaments* (the name it self only excepted) had the Supreme Authority. The name they

they gave them, was *Councils of Wise-men*; and this in the Reign of *Esbelbert*, of whom *Bede* says, *That he made Laws in imitation of the Roman Laws, cum concilio sapientum*; by the advice, or in a Council of his *Wise-men*. So *Edwyn*, King of *Northumberland*, and *Ina* King of the *West-Saxons*, having consulted with their *Wise-men*, and the *Elders of the people*, made new *Laws*. Other *Laws* *K. Alfred* made, by the advice in like manner of his *Wise-men*, and he says himself, *That it was by the consent of them all, that they were commanded to be observed*. From these and many other like places, it is as clear as the Sun, that chosen Men even from amongst the Common People, were Members of the Supreme Councils, unless we must believe that no Men are wise, but the Nobility. We have likewise a very Ancient Book, called the *Mirror of Justices*, in which we are told, That the *Saxons*, when they first subdued the *Brittains*, and chose themselves Kings, required an Oath of them, to submit to the Judgment of the Law, as much as any of their Subjects, *Cap. 1. Sect. 2*. In the same place 'tis said, that it is but just that the King have his Peers in Parliament, to take Cognizance of wrongs done by the King, or the Queen; and that there was a Law made in King *Alfred's* time, that Parliaments should be holden twice a year at *London*, or oftner, if need were. Which Law, when through neglect it grew into disuse, was revived by two Statutes in King *Edward the Third's* time. And in another ancient Manuscript, called *Modus tenendæ Parliamentæ*, we read thus, 'If the King dissolve the Parliament before they have dispatcht the business, for which the Council was summoned, he is guilty of Perjury; and shall be reputed to have broken his Coronation Oath. For how can he be said to grant those good Laws, which the people choose,

chuse, as he is sworn to do, if he hinders the People from chusing them, either by summoning Parliaments seldomer; or by dissolving them sooner than the Publick Affairs require, or admit. And that Oath, which the Kings of *England* take at their Coronation, has always been looked upon by our Lawyers, as a most sacred Law. And what remedy can be found to obviate the great Dangers of the whole State (which is the very end of summoning Parliaments) if that Great and August Assembly may be dissolved at the pleasure many times of a silly, head-strong King? To absent himself from them, is certainly less than to dissolve them; and yet by our Laws, as that *Modus* lays them down, the King neither can, nor ought to absent himself from his Parliament, unless he be really indisposed in Health; nor then neither, till twelve of the Peers have been with him to inspect his Body, and give the Parliament an account of his Indisposition: Is this like the Carriage of Servants to a Master? On the other hand, the House of Commons, without whom there can be no Parliament held, tho summoned by the King, may withdraw, and having made a Secession, expostulate with the King concerning Male-administration, as the same Book has it. But, which is the greatest thing of all, amongst the Laws of King *Edward*, commonly called the *Confessor*, there is one very excellent, relating to the Kingly Office; which Office, if the King do not discharge as he ought; Then, says the Law, *He shall not retain so much as the Name of a King*. And lest these words should not be sufficiently understood, the Example of *Chilperic* King of *France* is subjoyn'd, whom the People for that Cause deposed. And that by this Law a wicked King is liable to Punishment, that Sword of King *Edward*, called *Curtana*, denotes

denotes to us, which the Earl of *Chester* used to carry in the Solemn Procession at a Coronation; *A token*, says *Mathew Paris*, that he has Authority by Law to punish the King, if he will not do his Duty: and the Sword is hardly ever made use of but in Capital Punishments. This same Law, together with other Laws of that good King *Edward* did *William* the Conqueror ratifie in the Fourth Year of his Reign, and in a very full Council held at *Verulam*, confirm'd it with a most solemn Oath: And by so doing, he not only extinguish'd his Right of Conquest, if he ever had any over us, but subjected himself to be judged according to the Tenor of this very Law. And his Son *Henry* swore to the observance of King *Edward's* Laws, and of this amongst the rest; and upon those only terms it was, that he was chosen King, whilst his Elder Brother *Robert* was alive. The same Oath was taken by all succeeding Kings, before they were Crowned.* Hence our Ancient and Famous Lawyer *Bracton*, in his first Book, Chap. 8. *There is no King in the case*, says he, *where Will rules the roast; and Law does not take place.* And in his Third Book, Chap. 9. *A King is a King so long as he Rules well; he becomes a Tyrant when he oppresses the People committed to his Charge.* And in the same Chapter, *The King ought to use the Power of Law and Right, as God's Minister and Vice-gerent; the Power of wrong is the Devils, and not Gods; when the King turns aside to do Injustice, he is the Minister of the Devil.* The very same words almost another Ancient Lawyer has, who was the Author of the Book, called *Fleta*; both of them remembered that truly Royal Law of King *Edward*, that Fundamental Maxim in our Law, which I have formerly mentioned, by which nothing is to be accounted a Law, that is contrary to the Laws of God,

God, or of Reason; no more than a Tyrant can be said to be a King, or a Minister of the Devil, a Minister of God. Since therefore the Law is chiefly right Reason; if we are bound to obey a King, and a Minister of God; by the very same Reason, and the very same Law, we ought to resist a Tyrant, and a Minister of the Devil. And because Controversies arise oftner about Names than Things; the same Authors tell us, that a King of England, tho he have not lost the Name of a King, yet is as liable to be judged, and ought so to be, as any of the Common People. *Bracton*, Book 1. Chap. 8. *Fleta*, Book 1. Chap. 17. *No Man ought to be greater than the King in the Administration of Justice; but he himself ought to be as little as the least in receiving Justice, si peccat, if he offend.* Others read it, *si petat*. Since our Kings therefore are liable to be judged, whether by the Name of Tyrants, or of Kings, it must not be difficult to assign their Legal Judges. Nor will it be amiss to consult the same Authors upon that point. *Bracton*, Book 1. Chap. 16. *Fleta*, Book 1. Chap. 17. *The King has his Superiours in the Government; The Law, by which he is made King, and his Court, to wit, the Earls, and the Barons: Comites (Earls) are as much as to say, Companions; and he that has a Companion, has a Master; and therefore, if the King will be without a Bridle, that is, not govern by Law, they ought to bridle him.* That the Commons are comprehended in the word Barons, has been shown already; nay, and in the Books of our Ancient Laws they are frequently said to have been called Peers of Parliament; and especially in the *Modus tenendi*, &c.

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There shall be chosen (says that Book) out of all the Peers of the Realm, Five and twenty Persons, of whom five shall be Knight, five Citizens, and five Burgeses; and two Knights of a County, have a greater Vote in granting and rejecting than the greatest Earl in England. And it is but reasonable they should, for they Vote for a whole County, &c. the Earls for themselves only. And who can but perceive that those Patent Earls, whom you call Earls made by Writ (since we have now none that hold their Earldoms by Tenure) are very unfit Persons to try the King, who conferr'd their Honours upon them? Since therefore by our Law, as appears by that old Book, call'd *The Mirror*, the King has his Peers, who in Parliament have Cognizance of wrongs done by the King to any of his People; and thnce it is notoriously known, that the meanest Man in the Kingdom may even in inferior Courts have the benefit of the Law against the King himself in Case of any Injury; or Wrong sustained; how much more Consonant to Justice, how much more necessary is it, that in case the King oppress all his People, there should be such as have Authority not only to restrain him, and keep him within Bounds, but to Judge and Punish him? For that Government must needs be very ill, and most ridiculously constituted, in which remedy is provided in case of little Injuries done by the Prince to private Persons, and no Remedy, no Redress for greater, no care taken for the safety of the whole; no Provision made to the contrary, but that the King may without any Law ruin all his Subjects, when at the same time he cannot by Law, so much as hurt

hurt any one of them. And since I have shown that it is neither good manners, nor expedient, that the Lords should be the Kings Judges; it follows, that the Power of Judicature in that case, does wholly, and by very good Right, belong to the Commons, who are both Peers of the Realm, and Barons, and have the Power and Authority of all the People committed to them. For since (as we find it expressly in our written Law, which I have already cited) the Commons together with the King, make a good Parliament without either Lords or Bishops, because before either Lords or Bishops had a being, Kings held Parliaments with their Commons only; by the very same reason the Commons apart must have the Sovereign Power without the King, and a Power of Judging the King himself, because before there ever was a King, they in the Name of the whole Body of the Nation held Councils and Parliaments, had the Power of Judicature, made Laws, and made the Kings themselves; not to Lord it over the People, but to Administer their publick Affairs. Whom if the King, instead of so doing shall endeavour to injure and oppress, our Law pronounces him from time forward not so much as to retain the Name of a King, to be no such thing as a King; and if he be no King, what need we trouble our selves to find out Peers for him? For being then by all good Men adjudged to be a Tyrant, there are none but who are Peers good enough for him, and proper enough to pronounce Sentence of Death upon him judicially. These things being so, I think I have sufficiently proved what

I undertook, by many Authorities, and written Laws; to wit, that since the Commons have Authority by very good Right to try the King, and, since they have actually tried him, and put him to Death, for the mischief he had done both in Church and State, and without all hope of amendment, they have done nothing therein but what was just and regular, for the Interest of the State, in discharging of their Trust, becoming their Dignity, and according to the Laws of the Land. And I cannot upon this occasion, but congratulate my self with the Honour of having had such Ancestors, who founded this Government with no less prudence, and in as much Liberty as the most worthy of the Ancient *Romans* or *Grecians*, ever founded any of theirs; and they must needs, if they have any knowledg of our Affairs, rejoyce over their Posterity, who when they were almost reduced to Slavery; yet with so much Wisdom and Courage vindicated and asserted the State, which they so wisely founded upon so much Liberty, from the unruly Government of a King.

C H A P. IX.

I Think by this time 'tis sufficiently evident that Kings of *England* may be judged even by the Laws of *England*; and that they have their proper Judges; which was the thing to be proved. What do you do farther? (for whereas you repeat many things that you have said before I do not intend to repeat the answers that I have given them), *'Tis an easie thing to demonstrate even from the nature of the things for which Parliaments are summon'd, that the King is above the Parliament. The Parliament, you say, is wont to be assembled upon weighty affairs, such as wherein the safety of the Kingdom and of the people, is concerned.* If therefore the King call Parliaments together, not for his own concerns, but those of the Nation, nor to settle those neither, but by their own consent, at their own discretion, what is he more than a Minister, and as it were an agent for the people? since without their Suffrages that are chosen by the people, he cannot Enact the least thing whatsoever, either with relation to himself, or any body else? Which proves likewise that 'tis the King's duty to call Parliaments whenever the people desire it; since the peoples and not the King's concerns are to be treated of that Assembly, and to be ordered as they see cause. For although the King's assent be required for fashion sake, which in lesser matters, that concerned the welfare of private persons only, he might refuse, and use that form, *the King will advise*; yet in those greater affairs that concern'd the publick safety, and liberty of the people in general, he had no Negative voice; for it would have been against his Coronation Oath to deny his

his assent in such cases, which was as binding to him as any Law could be, and against the chief article of *Magna Charta*, Cap. 29. 'We will not deny to any man, nor will we delay to render to every man Right and Justice. Shall it not be in the King's power to deny Justice, and shall it be in his power to deny the Enacting of Just Laws? Could he not deny Justice to any particular person, and could he to all his people? Could he not do it in inferior Courts, and could he in the Supreme Court of all? Or, can any King be so arrogant as to pretend to know what's just and profitable better than the whole body of the people? Especially, since he is created and chosen for this very end and purpose, to do Justice to all, as *Bracton* says, *Lib. 3. Cap. 9.* that is to do Justice according to such Laws, as the people agree upon. Hence is what we find in our Records, *7 H 4. Rott. Parl. num. 59.* 'The King has no Prerogative that derogates from Justice and Equity. And formerly when Kings have refused to confirm Acts of Parliament, to wit, *Magna Charta*, and some others, our Ancestors have brought them to it by force of Arms. And yet our Lawyers never were of opinion that those Laws were less valid, or less binding, since the King was forced to assent to no more than what he ought in Justice to have assented to voluntarily, and without constraint. Whilst you go about to prove that Kings of other Nations have been as much under the power of their Senates or Counsels, as our Kings were, you do not argue us into Slavery, but them into Liberty. In which you do but that over again, that you have from the very beginning of your Discourse, and which some silly Leguleians now and then do, to argue unawares against their own Clients. But you say, *We confess that the King where-*

ever

ever be he, yet is supposed still to be present in his Parliament by vertue of his power; insomuch, that whatever is transacted there, is supposed to be done by the King himself; and then as if you had got some petty bribe or small morsel, and tickled with the remembrance of your Purse of Gold, *We take, say you, what they give us,* and take a Halter then, for I'm sure you deserve it. But we do not give it for granted, which is the thing you thought would follow from thence, *That therefore that Court acts only by vertue of a Delegated Power from the King.* For when we say that the Regal Power, be it what it will, cannot be absent from the Parliament, do we thereby acknowledg that Power to be supreme? does not the King's Authority seem rather to be transferred to the Parliament, and, as being the lesser of the two, to be comprised in the greater? Certainly if the Parliament may rescind the King's Acts, whether he will or no, and revoke Priviledges granted by him, to whomsoever they be granted. If they may set bounds to his Prerogative, as they see cause, if they may regulate his yearly Revenue, and the Expences of his Court, his Retinue, and generally all the concerns of his Household; If they may remove his most intimate Friends and Counsellors, and as it were pluck them out of his bosom, and bring them to condign punishment: Finally, if any Subject may by Law appeal from the King to the Parliament, all which things, that they may lawfully be done, and have been frequently practised, both our Histories and Records, and the most eminent of our Lawyers assure us, I suppose no man in his right wits will deny the Authority of the Parliament to be superiour to that of the King. For even in an *Interregnum* the Authority of the Parliament is in being, and (than which nothing is more common in our Histories

stories) they have often made a free Choice of a Successor, without any regard to an Hereditary descent. In short, the Parliament is the Supreme Council of the Nation, constituted and appointed by a most free people, and armed with ample power and authority, for this end and purpose; *viz.* to consult together upon the most weighty affairs of the Kingdom; the King was created to put their Laws in execution. Which thing after the Parliament themselves had declared in a publick Edict (for such is the Justice of their Proceedings, that of their own accord they have been willing to give an account of their actions to other Nations) is it not prodigious, that such a pitiful fellow as you are, a man of no authority, of no credit, of no estate in the world, a meer *Burgundian* slave, should have the imprudence to accuse the Parliament of *England*, asserting by a publick Instrument their own and their Countries Right, of a *detestable and horrid Imposture*. Your Country may be ashamed, you Rascall, to have brought forth a little inconsiderable fellow of such profligate impudence. But perhaps you have somewhat to tell us that may be for our good: Go on, we'll hear you. *What Laws, say you, can a Parliament Enact, in which the Bishops are not present?* Did you then, ye madman, expell the Order of Bishops out of the Church to introduce them into the State? O wicked wretch, who ought to be delivered over to Satan, whom the Church ought to forbid her Communion, as being a Hypocrite, and an Atheist, and no Civil Society of men to acknowledg as a member, being a publick enemy, and a Plague-sore to the common liberty of Mankind; who, where the Gospel fails you, endeavour to prove out of *Aristotle*, *Halicarnassæus*, and then from some Popish Authorities of the most corrupt

rupt ages, that the King of *England* is the head of the Church of *England*, to the end that you may, as far as in you lies, bring in the Bishops again, his Intimates and Table-Companions, grown so of late, to rob and Tyrannize in the Church of God, whom God himself hath depofed and degraded, whose very Order you had heretofore asserted in Print that it ought to be rooted out of the world, as destructive of and pernicious to the Christian Religion. What Apostate did ever so shamefully and wickedly desert as this man has done, I do not say his own, which indeed never was any, but the Christian Doctrine which he had formerly asserted? *The Bishops being put down, who under the King, and by his permission held Plea of Ecclesiastical Causes, upon whom, say you, will that Jurisdiction devolve?* O Villain, have some regard at least to your own Conscience; Remember before it be too late, if at least this admonition of mine come not too late, remember that this mocking the Holy Spirit of God is an inexpressible crime, and will not be left unpunished. Stop at last, and set bounds to your fury, lest the wrath of God lay hold upon you suddenly, for endeavouring to deliver the flock of God, his Anointed ones, that are not to be touched, to Enemies and cruel Tyrants, to be crushed and trampled on again, from whom himself by a high and stretched out arm had so lately delivered them; and from whom you your self maintained that they ought to be delivered, I know not whether for any good of theirs, or in order to the hardning of your own heart, and to further your own damnation. If the Bishops have no right to Lord it over the Church, certainly much less have Kings, whatever the Laws of men may be to the contrary. For they that know any thing of the Gospel know thus much, that the Govern-
ment

ment of the Church is altogether Divine and Spiritual, and no Civil Constitution. Whereas you say, *That in Secular Affairs, the Kings of England have always had the Sovereign Power.* Our Laws do abundantly declare, that to be false. Our Courts of Justice are erected and suppressed, not by the King's Authority, but that of the Parliament; and yet in any of them, the meanest Subject might go to Law with the King; nor is it a rare thing for the Judges to give Judgment against him; which if the King should endeavour to obstruct by any Prohibition, Mandate, or Letters, the Judges were bound by Law, and by their Oaths not to obey him, but to reject such Inhibitions as null and void in Law; the King could not imprison any man, or seize his Estate as forfeited; he could not punish any man, not summoned to appear in Court, where not the King but the ordinary Judges gave Sentence; which they frequently did, as I have said, against the King. Hence our *Bractton*, lib. 3. cap. 9. *The Regal Power*, says he, *is according to Law; he has no power to do any wrong, nor can the King do any thing but what the Law warrants.* Those Lawyers that you have consulted, men that have lately fled their Countrey, may tell you another tale, and acquaint you with some Statutes, not very Ancient neither, but made in King *Edward 4th's*, King *Henry 6th's*, and King *Edward 6th's* days; but they did not consider, That what power soever those Statutes gave the King, was conferred upon him by Authority of Parliament; so that he was beholding to them for it; and the same power that conferr'd it, might at pleasure resume it. How comes it to pass that so acute a disputant as you, should suffer your self to be imposed upon to that degree, as to make use of that very Argument to prove

prove the King's Power to be Absolute and Supreme, than which nothing proves more clearly, That it is subordinate to that of the Parliament? Our Records of the greatest Authority with us, declare, That our Kings owe all their Power, not to any Right of Inheritance, of Conquest, or Succession, but, to the people. So in the Parliament Rolls of King *Hen. 4. numb. 108.* we read, That the Kingly Office and Power was granted by the Commons to King *Henry the 4th*, and before him, to his Predecessor King *Richard the 2d.* just as Kings use to grant Commissioners places, and Lieutenantships to their Deputies, by Edicts and Patents. Thus the House of Commons ordered expressly to be entred upon record, 'That they had granted to King *Richard* to use the 'same good Liberty that the Kings of England before him 'had used: Which because that King abused to the subversion of the Laws, and contrary to his Oath at his Coronation, the same persons that granted him that power, took it back again, and deposed him. The same men, as appears by the same Record, declared in open Parliament, That having confidence in the 'Prudence and Moderation of King *Henry the 4th.* 'they will and enact, That he enjoy the same Royal 'Authority that his Ancestors enjoyed. Which if it had been any other than in the nature of a Trust, as this was, either those Houses of Parliament were foolish and vain, to give what was none of their own, or those Kings that were willing to receive as from them, what was already theirs, were too injurious both to themselves and their Posterity; neither of which is likely. *A third part of the Regal Power, say you, is conversant about the Militia; this the Kings of England have used to order and govern, without Fellow or Competitor.* This is as false as all the rest that you have

have taken upon the credit of Fugitives : For in the first place, both our own Histories, and those of Foreigners, that have been any whit exact in the relation of our Affairs, declare, That the making of Peace and War, always did belong to the Parliament. And the Laws of *St. Edward*, which our Kings were bound to swear that they would maintain, make this appear beyond all exception, in the Chapter *De Heretochiis*, viz. 'That there were certain Officers 'appointed in every Province and County throughout the Kingdom, that were called *Heretochs*, in 'Latin, *Duces, Commanders of Armies*, that were to 'command the Forces of the several Counties, not for the Honour of the Crown only, 'but for the 'good of the Realm. And they were chosen 'by 'the General Council, and in the several Counties at 'publick Assemblies of the Inhabitants, as Sheriffs 'ought to be chosen. Whence it is evident, That the Forces of the Kingdom, and the Commanders of those Forces, were anciently, and ought to be still, not at the King's Command, but at the people's; and that this most reasonable and just Law obtained in this Kingdom of ours no less than heretofore it did in the Commonwealth of the *Romans*. Concerning which, it will not be amiss to hear what *Cicero* says, *Philip. 1.* 'All the Legions, all the Forces of the 'Commonwealth; wheresoever they are, are the 'people of *Rome's*; nor are those Legions that deserted the Consul *Antonius*, said to have been *Antonys*, but the Commonwealths Legions. This very Law of *St. Edward*, together with the rest, did *William* the Conqueror, at the desire and instance of the people, confirm by Oath, and added over and above, *cap. 56.* 'That all Cities, Boroughs, Castles, should 'be so watched every night, as the Sheriffs, the Aldermen,

'dermen, and other Magistrates, should think meet
 'for the safety of the Kingdom. And in the 6th. Law,
 'Castles, Boroughs, and Cities, were first built for
 'the Defence of the people, and therefore ought to
 'be maintain'd free and entire, by all ways and means.
 What then ? Shall Towns and Places of Strength in
 times of Peace be guarded against Thieves and Rob-
 bers by common Councils of the several Places, and
 shall they not be defended in dangerous times of War,
 against both Domestick and Foreign Hostility, by the
 common Council of the whole Nation ? If this be not
 granted, there can be *no Freedom*, no *Integrity*, no
Reason in the guarding of them ; nor shall we obtain
 any of those ends, for which the Law it self tells us,
 that Towns and Fortresses were at first founded. In-
 deed our Ancestors were willing to put any thing into
 the King's power, rather than their Arms, and the
 Garisons of their Towns ; conceiving that to be nei-
 ther better nor worse, than betraying their Liberty to
 the Fury and Exorbitancy of their Princes. Of which
 there are so very many instances in our Histories, and
 those so generally known, that it would be superflu-
 ous to mention any of them here. But *the King owes*
protection to his Subjects ; and how can he protect them, un-
less he have Men and Arms at Command ? But, say I,
 he had all this for the good of the Kingdom, as has
 been said, not for the destruction of his people, and
 the ruin of the Kingdom : Which in King Henry the
 3^d's time, one *Leonard*, a Learned man in those days,
 in an Assembly of Bishops, told *Rustandus*, the Pope's
 Nuncio and the King's Procurator, in these words ;
 'All Churches are the Pope's, as all Temporal things
 'are said to be the King's, for Defence and Protection,
 'not his in Propriety and Ownership, as we say ;
 'they are his to Defend, not to Destroy. The afore-
 'men-

'mentioned Law of *St. Edward*, is to the same purpose; and what does this import more than a Trust? Does this look like Absolute Power? Such a kind of Power a Commander of an Army always has, that is, a Delegated Power; and yet both at home and abroad he is never the less able to defend the people that chuse him. Our Parliaments would anciently have contended with our Kings about their Liberty and the Laws of *St. Edward*, to very little purpose; and 'twould have been an unequal match betwixt the Kings and them, if they had been of opinion, that that the Power of the Sword belonged to him alone; for how unjust Laws soever their Kings would have imposed upon them, their *Charter*, tho never so great, would have been a weak Defence against Force. But say you, *What would the Parliament be the better for the Militia, since without the King's Assent, they cannot raise the least Farthing from the people towards the maintaining it?* Take you no thought for that: For in the first place you go upon a false supposition, *That Parliaments cannot impose Taxes without the King's Assent*, upon the people that send them, and whose concerns they undertake. In the next place, you that are so officious an enquirer into other mens matters, cannot but have heard, That the people of their own accord, by bringing in their Plate to be melted down, raised a great Sum of Money towards the carrying on of this War against the King. Then you mention the largeness of our King's Revenue: You mention over and over again *Five Hundred and Forty Thousands*; That *those of our Kings that have been eminent for their Bounty and Liberality, have used to give Large Boons out of their own Patrimony*. This you were glad to hear; 'twas by this Charm, that those Traytors to their Countrey allured you, as *Balaam* the Prophet was enticed of old,

to curse the people of God, and exclaim against the Judicial Dispensations of his Providence. You Fool ! what was that unjust and violent King the better for such abundance of Wealth ? What are you the better for it ? Who have been no partaker of any part of it, that I can hear of, (how great hopes soever you may have conceiv'd of being vastly enriched by it) but only of a Hundred pieces of Gold, in a Purse wrought with beads. Take that reward of thine Iniquity, *Balaam*, which thou hast loved, and enjoy it. You go on to play the Fool ; *The setting up of a Standard is a Prerogative that belongs to the King only.* How so ? Why because *Virgil* tells us in his *Æneis*, ' That *Turnus* set up a Standard on the ' top of the Tower at *Laurentum*, for an Ensign of ' War. And do not you know, *Grammarians*, that every General of an Army does the same thing ? But, says *Aristotle*, ' *The King must always be provided of a Military Power, that he may be able to defend the Laws ; and therefore the King must be stronger than the whole body of the people.* This man makes Consequences just as *Oenus* does Ropes in Hell ; which are of no use but to be eaten by Asses. For a number of Soldiers given to the King by the people, is one thing, and the sole power of the Militia is quite another thing ; the latter, *Aristotle* does not allow that Kings ought to be masters of, and that in this very place which you have quoted : He ought, says he, to have so many armed men about him, as to make him stronger than any one man, than many men got together ; but he must not be stronger than all the people, *Polit. lib. 3. cap. 4.* Else instead of protecting them, it would be in his power to subject both People and Laws to himself. For this is the difference betwixt a King and a Tyrant : A King, by consent of the Senate and People, has about him

so many Armed men, as to enable him to resist Enemies, and suppress Seditions. A Tyrant, against the Will both of Senate and People, gets as great a number as he can, either of Enemies, or profligate Subjects to side with him against the Senate and the People. The Parliament therefore allowed the King, as they did whatever he had besides, the setting up of a *Standard*; not to wage War against his own people, but to defend them against such as the Parliament should declare Enemies to the State: If he acted otherwise, himself was to be accounted an Enemy; since according to the very Law of *St. Edward*, or according to a more sacred Law than that, the Law of Nature it self, he lost the name of a King, and was no longer such. Whence *Cicero* in his *Philip*. 'He forfeits his Command in the Army, and Interest in the Government, that employs them against the State. Neither could the King compel those that held of him by Knight-Service, to serve him in any other War, than such as was made by consent of Parliament; which is evident by many Statutes. So for Customs and other Subsidies for the maintenance of the Navy; the King could not exact them without an Act of Parliament; as was resolved about twelve years ago, by the ablest of our Lawyers, when the King's Authority was at the height. And long before them, *Fortescue*, an Eminent Lawyer, and Chancellor, to King *Henry the 6th*, 'The King of England, says he, can neither alter the Laws, nor exact Subsidies without the people's consent; nor can any Testimonies be brought from Antiquity, to prove the Kingdom of England to have been merely Regal. 'The King, says *Bracton*, has a Jurisdiction over all his Subjects; that is, in his Courts of Justice, where Justice is administered in the King's name indeed, but ac-

according to our own Laws. 'All are subject to the King; that is, every particular man is; and so *Bracon* explains himself in the places that I have cited. What follows is but turning the same stone over and over again; (at which sport I believe you are able to tire *Sisyphus* himself), and is sufficiently answered by what has been said already. For the rest, if our Parliaments have sometimes complimented good Kings with submissive expressions, tho neither favouring of Flattery nor Slavery, those are not to be accounted due to Tyrants, nor ought to prejudice the peoples Right; good manners and civility do not infringe Liberty. Whereas you cite out of *Sir Edw. Coke* and others, 'That the Kingdom of England is an *Absolute Kingdom*; that is said with respect to any Foreign Prince, or the Emperor; because as *Camden* says, 'It is not under the Patronage of the Emperor; but both of them affirm that the Government of England resides not in the King alone, but in a Body Politick. Whence *Fortescue* in his Book *de land. leg. Angl. cap. 9.* 'The King of England, says he, governs his people, not by a merely Regal, but a Political power; for the English are govern'd by Laws of their own making. Foreign Authors were not ignorant of this: Hence *Philip de Comines*, a *Geneve* Author, in the *Fifth Book of his Commentaries*, 'Of all the Kingdoms of the earth, says he, that I have any knowledge of, there is none in my opinion, where the Government is more moderate, where the King has less power of hurting his people, than in England. Finally, 'Tis ridiculous, say you, for them to affirm that Kingdoms were ancients than Kings; which is as much as if they should say, that there was Light before the Sun was created. But with your good leave, Sir, we do not say that Kingdoms, but that the people were before Kings. In

the mean time, who can be more ridiculous than you, who deny there was Light before the Sun had a being. You pretend to a curiosity in other mens matters, and have forgot the very first things that were taught you. *You wonder how they that have seen the King upon his Throne, at a Session of Parliament (sub aureo & serico Cœlo, under a golden and silken Heaven) under a Canopy of State, should so much as make a question whether the Majesty resided in him, or in the Parliament?* They are certainly hard of belief, whom so lucid an Argument coming down from Heaven, cannot convince. Which Golden Heaven, you, like a Stoick, have so devoutly and seriously gaz'd upon, that you seem to have forgot what kind of Heaven *Moses* and *Aristotle* describe to us; for you deny that there was any Light in *Moses* his Heaven, before the Sun; and in *Aristotle's* you make three temperate Zones. How many Zones you observed in that Golden and Silken Heaven of the King's, I know not; but I know you got one Zone (a Purse) well tempered with a Hundred Golden Stars by your Astronomy.

C H A P. X.

Since this whole Controversie, whether concerning the Right of Kings in general, or that of the King of *England* in particular, is rendred difficult and intricate, rather by the obstinacy of parties, than by the nature of the thing it self, I hope they that prefer Truth before the Interest of a Faction, will be satisfied with what I have alledged out of the Law of God, the Law of Nations, and the Municipal Laws of my own Countrey, That a King of *England* may

may be brought to Tryal, and put to Death. As for those whose minds are either blinded with Superstition, or so dazeled with the Splendor and Grandure of a Court, that Magnanimity and true Liberty do not appear so glorious to them, as they are in themselves; it will be in vain to contend with them, either by Reason and Arguments, or Examples. But you, *Salmasius*, seem very absurd, as in every other part of your Book, so particularly in this, who tho you rail perpetually at the *Independents*, and revile them with all the terms of Reproach imaginable, yet assert to the highest degree that can be, the *Independency* of the King, whom you defend; and will not allow him to owe his Sovereignty to the people, but to his Descend; And whereas in the beginning of your Book you complain'd that he was put to plead for his Life, here you complain, *That he perish'd without being heard to speak for himself*. But if you have a mind to look into the History of his Trial, which is very faithfully publish'd in *French*, it may be you'll be of another opinion. Whereas he had liberty given him for some days together, to say what he could for himself, he made use of it not to clear himself of the Crimes laid to his Charge, but to disprove the Authority of his Judges, and the Judicature that he was called before. And whenever a Criminal is either mute, or says nothing to the purpose, there is no Injustice in condemning him without hearing him, if his Crimes are notorious, and publickly known. If you say that *Charles* dyed as he lived, I agree with you: If you say that he died piously, holily, and at ease, you may remember that his Grandmother *Mary*, Queen of *Scots*, an infamous Woman, dyed on a Scaffold with as much outward appearance of Piety, Sanctity, and Constancy, as he did; and lest you should ascribe too

much to that presence of mind which some common Malefactors have so great a measure of at their death; many times despair, and a hardened heart puts on as it were a Vizor of Courage; and Stupidity, of Quiet, and Tranquility of mind: Sometimes the worst of men desire to appear good, undaunted, innocent, and now and then Religious, not only in their life, but at their death; and insuffering death for their villainies, use to act the last part of their hypocrisie and cheats, with all the show imaginable; and like bad Poets or Stage-players, are very Ambitious of being clapp'd at the end of the Play. Now, you say, you are come to enquire who they chiefly were, that gave Sentence against the King. Whereas it ought first to be enquired into, how you, a Foreigner, and a French Vagabond, came to have any thing to do to raise a question about our Affairs, to which you are so much a stranger? And what Reward induced you to it? But we know enough of that, and who satisfied your curiosity in these matters of ours; even those Fugitives, and Traytors to their Countrey, that could easily hire such a vain Fellow as you, to speak ill of us. Then an account in writing, of the state of our affairs, was put into your hands by some hair-brain'd, half-Protestant, half-Papist Chaplain or other, or by some sneaking Courtier, and you were put to Translate it into *Latin*; out of that you took these Narratives, which, if you please, we'll examine a little: *Not the hundred thousandth part of the people consented to this sentence of Condemnation.* What were the rest of the people then that suffered so great a thing to be transacted against their will? Were they Stocks and stones, were they mere Trunks of men only, or such Images of Britans, as *Virgil* describes to have been wrought in Tapistry?

Pur-

Purpurea intexti tollunt aulea Britann!

And Britains interwove held up the Purple hangings.

For you describe no true Britains but Painted ones, or rather Needle-wrought Men instead of them. Since therefore it is a thing so incredible that a warlike Nation should be subdued by so few, and those of the dregs of the People, which is the first thing that occurs in your Narrative, that appears in the very Nature of the thing it self to be most false. *The Bishops were turn'd out of the House of Lords by the Parliament it self.* The more deplorable is your Madness (for are you not yet sensible that you Rave?) to complain of their being turn'd out of the Parliament, whom you your self in a large Book endeavour to prove that they ought to be turn'd out of the Church; *One of the States of Parliament, to wit, the House of Lords, consisting of Dukes, Earls, and Viscounts, was removed.* And deservedly were they removed; for they were not deputed to sit there by any Town or County, but represented themselves only; they had no Right over the People, but (as if they had been ordained for that very purpose) used frequently to oppose their Rights and Liberties. They were created by the King, they were his Companions, his Servants, and as it were, Shadows of him. He being removed, it was necessary they should be reduced to the same Level with the Body of the People, from amongst whom they took their rise. *One part of the Parliament, and that the worst of all, ought not to have assum'd that Power of judging and condemning the King.* But I have told you already, that the House of Commons was not only the chief part of our Par-
P 4 liament,

liament, while we had Kings, but was a perfect and entire Parliament of it self, without the Temporal Lords; much more without the Bishops. But, *The whole House of Commons themselves were not admitted to have to do with the Tryal of the King.* To wit, that part of them was not admitted, that openly revolted to him in their Minds and Councils; whom, tho they still'd him their King, yet they had so often acted against, as an Enemy. The Parliament of England, and the Deputies sent from the Parliament of Scotland, on the 13th of *January, 1645.* wrote to the King, in Answer to a Letter of his, by which he desired a deceitful Truce, and that he might Treat with them at *London*; that they could not admit him into that City, till he had made Satisfaction to the State for the Civil War that he had raised in the three Kingdoms, and for the Deaths of so many of his Subjects slain by his Order; and till he had agreed to a true and firm Peace upon such Terms as the Parliaments of both Kingdoms had offered him so often already, and should offer him again. He on the other hand either refused to hear, or by ambiguous Answers eluded their just and equal Proposals, tho most humbly presented to him seven times over. The Parliament at last, after so many years patience, lest the King should over-turn the State by his Wiles and Delays, when in Prison, which he could not subdue in the Field, and lest the vanquish'd Enemy pleased with our Divisions, should recover himself, and triumph unexpectedly over his Conquerors, vote that for the future, they would have no regard to him, that they would send him no more Proposals, nor receive any from him: After which vote, there were found even some Members of Parliament, who out of the hatred they bore

bore that invincible Army, whose Glory they envied, and which they would have had disbanded, and sent home with disgrace, after they had deserved so well of their Nation, and out of a servile Compliance with some Seditious Ministers, finding their opportunity, when many, whom they knew to be otherwise minded than themselves, having been sent by the House it self to suppress the Presbyterians, who began already to be Turbulent, were absent in the several Counties, with a strange Levity, not to say perfidiousness, Vote, that that inveterate Enemy of the State, who had nothing of a King, but the Name, without giving any Satisfaction or Security, should be brought back to *London*, and restored to his Dignity and Government, as if he had deserved well of the Nation by what he had done. So that they prefer'd the King before their Religion, their Liberty, and that very celebrated Covenant of theirs. What did they do in the mean time, who were sound themselves, and saw such pernicious Councils on foot? Ought they therefore to have been wanting to the Nation, and not provide for its safety, because the Infection had spread it self even in their own House? But, who secluded those ill affected Members? *The English Army*, you say: so that it was not an Army of Foreigners, but of most Valiant, and Faithful, Honest Natives, whose Officers for the most part were Members of Parliament; and whom those good secluded Members would have secluded their Country, and banished into *Ireland*; while in the mean time the *Scots*, whose Alliance began to be doubtful, had very considerable Forces in four of our Northern Counties, and kept Garrisons in the best Towns of those Parts, and had the King himself in Custody; whilst they likewise encouraged
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the tumultuating of those of their own Faction, who did more than threaten the Parliament, both in City and Country, and through whose means not only a Civil, but a War with *Scotland* too shortly after brake out. If it has been always accounted praise-worthy in private Men to assist the State, and promote the publick Good, whether by Advice or Action; our Army sure was in no fault, who being ordered by the Parliament to come to Town, obey'd and came, and when they were come, quell'd with ease, the Faction and Uproar of the King's Party, who sometimes threatned the House it self. For things were brought to that pass, that of necessity either we must be run down by them, or they by us. They had on their side most of the Shopkeepers and Handicrafts-men of *London*, and generally those of the Ministers, that were most factious. On our side was the Army, whose Fidelity, Moderation, and Courage were sufficiently known. It being in our Power by their means to retain our Liberty, our State, our Common-safety, do you think we had not been fools to have lost all by our negligence and folly? They who had had places of Command in the Kings Army, after their Party were subdued, had laid down their Arms indeed against their Wills, but continued Enemies to us in their hearts; and they flock'd to Town, and were here watching all opportunities of renewing the War. With these Men, tho they were the greatest Enemies they had in the World, and thirsted after their Blood, did the *Presbyterians*, because they were not permitted to exercise a Civil, as well as an Ecclesiastical Jurisdiction over all others, hold secret Correspondence, and took measures very unworthy of what they had formerly

formerly both said and done; and they came to that Spleen at last, that they would rather enthrall themselves to the King again, than admit their own Brethren to share in their Liberty, which they likewise had purchased at the price of their own Blood; they chose rather to be Lorded over once more by a Tyrant, polluted with the Blood of so many of his own Subjects, and who was enraged, and breath'd out nothing but revenge against those of them that were left, than endure their Brethren and Friends to be upon the square with them. The *Independents*, as they are called, were the only men, that from first to last kept to their point, and knew what use to make of their Victory: They refus'd, (and wisely, in my opinion), to make him King again, being then an Enemy; who when he was their King, had made himself their Enemy: Nor were they ever the less averse to a Peace, but they very prudently dreaded a new War, or a perpetual slavery under the name of a Peace. To load our Army with the more reproaches, you begin a silly confused Narrative of our Affairs; in which tho I find many things false, many things frivolous, many things laid to our charge, for which we rather merit; yet I think it will be to no purpose for me to write a true relation, in answer to your false one. For you and I are arguing, not writing Histories, and both sides will believe our reasons, but not our narrative; and indeed the nature of the things themselves is such, that they cannot be related as they ought to be, but in a set History; so that I think it better, as *Salust* said of *Cato*, Rather to say nothing at all, than to say but a little of things of this weight and importance. Nay, and I scorn so much as to mention the praises of great men, and of Almighty God himself, (who in so wonderful

wonderful a course of Affairs ought to be frequently acknowledged) amongst your Slanders and Reproaches. I'll therefore only pick out such things as seem to have any colour of argument. You say, *the English and Scotch promised by a Solemn Covenant, to preserve the Majesty of the King.* But you omit upon what terms they promised it; to wit, if it might consist with the safety of their Religion and their Liberty. To both which, Religion and Liberty, that King was so averse to his last breath, and watcht all opportunities of gaining advantages upon them, that it was evident that his life was dangerous to their Religion, and the certain ruin of their Liberty. But then you fall upon the King's Judges again: *If we consider the thing aright, the conclusion of this abominable action must be imputed to the Independents, yet so as the Presbyterians may justly challenge the glory of its beginning and progress.* Hark, ye Presbyterians, what good has it done you? how is your Innocence and Loyalty the more cleared by your seeming so much to abhor the putting the King to death? You your selves in the opinion of this everlasting talkative Advocate of the King, your accuser, *went more than half-way towards it; you were seen acting the fourth Act and more, in this Tragedy; you may justly be charged with the King's death, since you ban'd the way to it; 'twas you and only you that laid his head upon the Block.* Wo be to you in the first place, if ever Charles his Posterity recover the Crown of England; assure your selves, you are like to be put in the Black List. But pay your Vows to God, and love your Brethren who have delivered you, who have prevented that calamity from falling upon you, who have saved you from inevitable ruin, tho against your own wills. You are accused likewise for that *some years ago you endeavoured by sundry Petitions to lessen the Kings authority,*
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that you publisht some scandalous expressions of the King himself in the Papers you presented him with in the name of the Parliament ; to wit, in that Declaration of the Lords and Commons of the 26th. of May 1642, you declar'd openly in some mad Positions that breath'd nothing but Rebellion, what your thoughts were of the King's authority : Hotham by order of Parliament shut the Gates of Hull against the King ; you had a mind to make a trial by this first act of Rebellion how much the King would bear. What could this man say more if it were his design to reconcile the minds of all English men to one another, and alienate them wholly from the King ? for he gives them here to understand, that if ever the King be brought back, they must not only expect to be punisht for his Father's death, but for the Petitions they made long ago, and some acts that past in full Parliament, concerning the putting down the Common-Prayer and Bishops, and that of the Triennial Parliament, and several other things that were Enacted with the greatest consent and applause of all the people that could be ; all which will be look'd upon as the Seditions and mad Positions of the Presbyterians. But this vain fellow changes his mind all of a sudden, and what but of late, when he considered it aright, he thought was to be imputed wholly to the Presbyterians ; now that he considers the same thing from first to last, he thinks the Independents were the sole Actors of it. But even now he told us, The Presbyterians took up Arms against the King, that by them he was beaten, taken captive, and put in prison ; Now he says, this whole Doctrine of Rebellion is the Independents Principle. O ! the faithfulness of this man's Narrative. How consistent he is with himself ! What need is there of a Counter narrative to this of his, that cuts its own throat ? But if any man should question whether you are an honest man or a Knave,

Knave, let him read these following lines of yours : *It is time to explain whence and at what time this Sect of Enemies to Kingship first began : VVhy truly these rare Puritans began in Queen Elizabeths time to crawl out of Hall, and disturb not only the Church, but the State likewise ; for they are no less plagues to the latter than to the former.* Now your very speech bewrays you to be a right Balaam ; for where you designed to spit out the most bitter poyson you could, there unwittingly and against your will you have pronounc'd a blessing. For it's notoriously known all over England, that if any endeavoured to follow the example of those Churches, whether in France or Germany, which they accounted best Reformed, and to exercise the publick Worship of God in a more pure manner, which our Bishops had almost universally corrupted with their Ceremonies and Superstitions, or if any seemed either in point of Religion or Morality to be better than others, such persons were by the Favourers of Episcopacy termed *Puritans*. These are they whose Principles you say are so opposite to Kingship. Nor are they the only persons, *most of the Reformed Religion, that have not sucked in the rest of their principles, yet seem to have approved of those that strike at Kingly Government.* So that while you inveigh bitterly against the *Independents*, and endeavour to separate them from Christ's flock, with the same breath you praise them, and those Principles which almost every where you affirm to be peculiar to the *Independents*, here you confess they have been approved of by most of the Reformed Religion. Nay you are arrived to that degree of impudence, impiety and apostacy, that though formerly you maintained that Bishops ought to be extirpated out of the Church, Root and Branch, as so many pests and limbs of Antichrist, here you say the King ought

to protect them, for the saving of his Coronation-Oath. You cannot show your self a more infamous Villain than you have done already, but by abjuring the Protestant Reformed Religion, to which you are a scandal. Whereas you tax us with giving a *Toleration of all Sects and Heresies*, you ought not to find fault with us for that ; since the Church bears with such a profligate wretch as you your self, such a vain fellow, such a lyar, such a Mercenary Slanderer, such an Apostate, one who has the impudence to affirm, That the best and most pious of Christians, and even most of those who profess the Reformed Religion , are crept out of Hell, because they differ in opinion from you. I had best pass by the Calumnies that fill up the rest of this Chapter, and those prodigious tenents that you ascribe to the *Independents*, to render them odious ; for neither do they at all concern the cause you have in hand, and they are such for the most part as deserve to be laugh'd at, and despised, rather than receive a serious Answer.

C H A P. XI.

YOU seem to begin this Eleventh Chapter, *Salutis*, though with no modesty, yet with some sense of your weakness and trifling in this Discourse. For whereas you proposed to your self to enquire in this place, by what authority, sentence was given against the King ? You add immediately, which nobody expected from you ; that *'tis in vain to make any such enquiry ; to wit, because the quality of the persons that did it, leaves hardly any room for such a question.* And there-

therefore as you have been found guilty of a great deal of Impudence and Sauciness in the undertaking of this Cause, so since you seem here conscious of your own impertinence; I shall give you the shorter answer. To your question then; by what authority the House of Commons either condemn'd the King themselves, or delegated that power to others; I answer, they did it by verue of the Supreme authority on earth. How they come to have the Supreme Power, you may learn by what I have said already, when I refuted your Impertinencies upon that Subject. If you believed your self that you could ever say enough upon any Subject, you would not be so tedious in repeating the same things so many times over. And the House of Commons might delegate their Judicial Power by the same reason, by which you say the King may delegate his, who received all he had from the people. Hence in that Solemn League and Covenant that you object to us, the Parliaments of England and Scotland solemnly protest and engage to each other, to punish the Traytors in such manner as *the Supreme, Judicial Authority in both Nations, or such as should have a Delegate power from them*, should think fit. Here you hear the Parliaments of both Nations protest with one voice, that they may Delegate their Judicial Power, which they call the Supreme; so that you move a vain and frivolous Controversie about Delegating this power. *But, say you, there were added to those Judges that were made choice of out of the House of Commons, some Officers of the Army, and that never was known that Soldiers had any right to try a Subject for his life.* I'll silence you in a very few words: You may remember that we are not now discoursing of a Subject, but of an Enemy; whom if a General of an Army, after he has taken him Prisoner resolves to dispatch,

dispatch, would he be thought to proceed otherwise than according to custom and Martial Law, if he himself with some of his Officers should sit upon him, and try and censure him? An enemy to a State made a Prisoner of War, cannot be looked upon to be so much as a Member, much less a King in that State. This is declar'd by that Sacred Law of St. *Edward*, which denies that a bad King is a King at all, or ought to be call'd so. Whereas you say, it was *not the whole but a part of the House of Commons that try'd and condemn'd the King*, I give you this answer: The number of them, who gave their Votes for putting the King to death, was far greater than is necessary according to the custom of our Parliaments to transact the greatest Affairs of the Kingdom, in the absence of the rest; who since they were absent through their own fault (for to revolt to the common enemy in their hearts is the worst sort of absence) their absence ought not to hinder the rest who continued faithful to the cause, from preserving the State; which when it was in a tottering condition, and almost quite reduced to Slavery and utter ruin, the whole body of the people had at first committed to their fidelity, prudence and courage. And they acted their parts like men; they set themselves in opposition to the unruly wilfulness, the rage, the secret designs of an inveterate and exasperated King; they prefer'd the common liberty and safety before their own; they out-did all former Parliaments, they out-did all their Ancestors in Conduct, Magnanimity and steddiness to their cause. Yet these very men did a great part of the people ungratefully desert in the midst of their undertaking, though they had promised them all fidelity, all the help and assistance they could afford them. These were for Slavery and peace with sloth and luxury upon any terms:

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Others demanded their Liberty, nor would accept of a peace that was not sure and honourable. What should the Parliament do in this case? ought they to have defended this part of the people, that was found and continued faithful to them and their Country, or to have sided with those that deserted both? I know what you will say they ought to have done. You are not *Eurulochns*, but *Elpenor*, a miserable Enchanted Beast, a filthy Swine, accustomed to a sordid Slavery, even under a Woman; so that you have not the least relish of true Magnanimity, nor consequently of Liberty, which is the effect of it: You would have all other men slaves, because you find in your self no generous, ingenuous inclinations, you say nothing, you breath nothing but what's mean and servile. You raise another scruple, to wit, *That he was the King of Scotland too, whom we condemn'd*; as if he might therefore do what he would in *England*. But that you may conclude this Chapter, which of all others is the most weak and insipid, at least with some witty querk, *There are two little words*, say you, *that are made up of the same number of Letters, and differ only in the placing of them, but whose significations are wide asunder, to wit, Vis and Jus, (might and right.)* 'Tis no great wonder that such a three-letter'd man as you, (*Fur, a Thief,*) should make such a Witticism upon three Letters: 'Tis the greater wonder (which yet you assert throughout your Book) that two things so directly opposite to one another as those two are, should yet meet and become one and the same thing in Kings. For what violence was ever acted by Kings, which you do not affirm to be their Right? These are all the passages that I could pick out of nine long Pages, that I thought deserved an answer. The rest consists either of repetitions of things that have been answered more than

than once, or such as have no relation to the matter in hand. So that my being more brief in this Chapter than in the rest, is not to be imputed to want of diligence in me, which, how irksome soever you are to me, I have not slackned; but to your tedious impertinence, so void of matter and sense.

C H A P. XII.

I Wish, *Salmasius*, that you had left out this part of your Discourse concerning the King's crimes, which it had been more advisable for your self and your party to have done, for I'm afraid lest in giving you an answer to it, I should appear too sharp and severe upon him, now he is dead, and hath received his punishment. But since you chose rather to discourse confidently and at large upon that Subject, I'll make you sensible, that you could not have done a more inconsiderate thing, than to reserve the worst part of your cause to the last, to wit that of ripping up and enquiring into the Kings Crimes; which when I shall have proved them to have been true and most exorbitant, they will render his memory unpleasant and odious to all good men, and imprint now in the close of the Controversie, a just hatred of you, who undertake his defence, on the Readers minds. Say you, *His accusation may be divided into two parts, one is conversant about his Morals, the other taxeth him with such faults as he might commit in his publick capacity.* I'll be content to pass by in silence that part of his life that

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he spent in Banquettings, at Plays, and in the conversation of Women; for what can there be in Luxury and Excess, worth relating? And what would those things have been to us, if he had been a private person? But since he would be a King, as he could not live a private life, so neither could his Vices be like those of a private person. For in the first place, he did a great deal of mischief by his example: In the second place, all that time that he spent upon his lust, and in his sports, which was a great part of his time, he stole from the State, the Government of which he had undertaken. Thirdly and lastly, he squandered away vast Sums of Money, which were not his own, but the publick Revenue of the Nation, in his Domestick Luxury and Extravagance. So that in his private life at home he first began to be an ill King. But let us rather pass over to those Crimes *that he is charged with on the account of misgovernment.* Here you lament his being condemned as a Tyrant, a Traytor, and a Murderer. That he had no wrong done him, shall now be made appear. But first let us define a Tyrant, not according to vulgar conceits, but the judgment of *Aristotle*, and of all Learned Men. He is a *Tyrant* who regards his own welfare and profit only, and not that of the people. So *Aristotle* defines one in the Tenth Book of his *Ethicks*, and elsewhere, and so do very many others. Whether *Charles* regarded his own or the peoples good, these few things of many that I shall but touch upon, will evince. When his Rents and other publick Revenues of the Crown would not defray the Expences of the Court, he laid most heavy Taxes upon the people; and when they were squandred away, he invented new ones; not for the benefit, honour, or defence

defence of the State, but that he might hoard up, or lavish out in one House, the Riches and Wealth, not of one but of three Nations. When at this rate he broke loose, and acted without any colour of Law to warrant his proceedings, knowing that a Parliament was the only thing that could give him check, he endeavoured either wholly to lay aside the very calling of Parliaments, or calling them just as often, and no oftner, than to serve his own turn, to make them entirely at his devotion. Which Bridle when he had cast off himself, he put another Bridle upon the people; he put Garrisons of *German* Horse and *Irisb* Foot in many Towns and Cities, and that in time of Peace. Do you think he does not begin to look like a Tyrant? In which very thing, as in many other Particulars, which you have formerly given me occasion to instance in, (though you scorn to have *Charles* compared with so cruel a Tyrant as *Nero*) he resembled him extremely much. For *Nero* likewise often threatned to take away the Senate. Besides, he bore extreme hard upon the Consciences of good men, and compelled them to the use of Ceremonies and Superstitious Worship, borrowed from Popery, and by him re-introduced into the Church. They that would not conform, were imprisoned or Banisht. He made War upon the *Scots* twice for no other cause than that. By all these actions he has surely deserved the name of a Tyrant once over at least. Now I'll tell you why the word Traytor was put into his Indictment: When he assured his Parliament by Promises, by Proclamations, by Imprecations, that he had no design against the State, at that very time did he List *Papists* in *Ireland*, he sent a private Embassie to the King of *Denmark* to beg assistance from him of Arms, Horses and Men, expressly

against the Parliament; and was endeavouring to raise an Army first in *England*, and then in *Scotland*. To the *English* he promised the Plunder of the City of *London*, to the *Scots*, that the four *Northern* Counties should be added to *Scotland*, if they would but help him to get rid of the Parliament, by what means soever. These Projects not succeeding, he sent over one *Dillon* a Traytor, into *Ireland* with private Instructions to the Natives, to fall suddenly upon all the *English* that inhabited there. These are the most remarkable instances of his Treasons, not taken up upon hear-say and idle reports, but discovered by Letters under his own Hand and Seal. And finally I suppose no man will deny that he was a Murderer, by whose order the *Irish* took Arms, and put to death with most exquisite Torments, above a hundred thousand *English*, who lived peaceably by them, and without any apprehension of danger; and who raised so great a Civil War in the other two Kingdoms. Add to all this, that at the Treaty in the Isle of *Wight*, the King openly took upon himself the guilt of the War, and clear'd the Parliament in the Confession he made there, which is publicly known. Thus you have in short why King *Charles* was adjudged a Tyrant, a Traytor, and a Murderer. But, say you, why was he not declared so before, neither in that *Solemn League and Covenant*, nor afterwards when he was delivered to them, either by the *Presbyterians* or the *Independents*, but on the other hand was receiv'd as a King ought to be, with all reverence? This very thing is sufficient to persuade any rational man, that the Parliament entred not into any Councils of quite deposing the King, but as their last refuge, after they had suffered and undergone all that possibly they could, and had attempted all other ways and

and means. You alone endeavour maliciously to lay that to their charge, which to all good men cannot but evidence their great Patience, Moderation, and perhaps a too long forbearing with the King's Pride and Arrogance. But *in the month of August, before the King suffered, the House of Commons, which then bore the only sway, and was governed by the Independants, wrote Letters to the Scots, in which they acquainted them that they never intended to alter the form of Government that had obtain'd so long in England under King, Lords, and Commons.* You may see from hence, how little reason there is to ascribe the deposing of the King, to the principles of the Independants. They, that never used to dissemble and conceal their Tenents, even then, when they had the sole management of affairs, profess, *That they never intended to alter the Government.* But if afterwards a thing came into their minds, which at first they intended not, why might they not take such a course, tho before not intended, as appear'd most advisable, and most for the Nation's Interest? Especially when they found that the King could not possibly be intreated or induced to assent to those just demands that they had made from time to time, and which were always the same from first to last. He persisted in those perverse sentiments with respect to Religion and his own Right, which he had all along espoused, and which were so destructive to us ; not in the least altered from the man that he was, when in Peace and War, he did us all so much mischief. If he assented to any thing, he gave no obscure hints that he did it against his will, and that whenever he should come into power again, he would look upon such his Assent as null and void. The same thing his Son declared by writing under his hand, when in those days he ran away with part

of the Fleet, and so did the King himself by Letters to some of his own Party in London. In the mean time, against the avowed sense of the Parliament, he struck up a private Peace with the *Irish*, the most barbarous Enemies imaginable to *England*, upon base dishonourable terms; but whenever he invited the *English* to Treaties of Peace, at those very times with all the power he had, and interest he could make, he was preparing for War. In this case, what should they do, who were intrusted with the care of the Government? Ought they to have betrayed the safety of us all to our most bitter Adversary? Or would you have had them left us to undergo the Calamities of another Seven years War, not to say worse? God put a better mind into them, of preferring, pursuant to that very solemn League and Covenant, their Religion, and Liberties, before those thoughts they once had, of not rejecting the King; for they had not gone so far as to vote it; all which they saw at last, (tho indeed later than they might have done), could not possibly subsist, as long as the King continued King. The Parliament ought and must of necessity be entirely free, and at liberty to provide for the good of the Nation, as occasion requires; nor ought they so to be wedded to their first Sentiments, as to scruple the altering their minds, for their own, or the Nation's good, if God put an opportunity into their hands of procuring it. But the Scots were of another opinion; for they, in a Letter to Charles, the King's Son, call his Father a most Sacred Prince, and the putting him to death, a most execrable Villany. Do not you talk of the Scots, whom you know not; we know them well enough, and know the time, when they called that same King, a most execrable person, a Murderer, and Traytor; and the

the putting a Tyrant to Death a *most sacred* action. Then you pick holes in the King's Charge, as not being properly penn'd ; and you ask *why we needed to call him a Traytor and a Murderer, after we had stiled him a Tyrant ; since the word Tyrant, includes all the Crimes that may be :* And then you explain to us grammatically and critically, what a Tyrant is. Away with those Trifles, you Pedagogue, which that one definition of *Aristotle's*, that has lately been cited, will utterly confound ; and teach such a Doctor as you, That the word Tyrant (for all your concern is barely to have some understanding of words) may be applied to one, who is neither a Traytor nor a Murderer. But *the Laws of England do not make it Treason in the King to stir up Sedition against himself or the people.* Nor do they say, That the Parliament can be guilty of Treason by deposing a bad King, nor that any Parliament ever was so, tho they have often done it ; but our Laws plainly and clearly declare, that a King may violate, diminish, nay, and wholly lose his Royalty. For that expression in the Law of *St. Edward*, of *losing the name of a King*, signifies neither more nor less, than being deprived of the Kingly Office and Dignity ; which befel *Chilperic King of France*, whose example, for illustration-sake, is taken notice of in the Law it self. There is not a Lawyer amongst us that can deny, but that the highest Treason may be committed against the Kingdom as well as against the King. I appeal to *Glanville* himself, whom you cite, ' If any man attempt to put the King to death, or raise Sedition in the Realm, it is ' High Treason. So, that attempt of some Papists to blow up the Parliament-House, and the Lords and Commons there with Gunpowder, was by King
James

James himself, and both Houses of Parliament, declared to be *High Treason*, not against the King only, but against the Parliament and the whole Kingdom. 'T would be to no purpose to quote more of our Statutes, to prove so clear a Truth ; which yet I could easily do. For the thing it self is ridiculous, and absurd to imagine, That High Treason may be committed against the King, and not against the people, for whose good nay, and by whose leave, as I may say, the King is what he is : So that you babble over so many Statutes of ours to no purpose ; you toil and wallow in our Ancient Law-Books, to no purpose ; for the Laws themselves stand or fall by Authority of Parliament, who always had power to confirm or repeal them ; and the Parliament is the sole Judge of what is Rebellion, what High Treason (*lesa Majestas*) and what not. Majesty never was vested to that degree in the Person of the King, as not to be more conspicuous, and more August in Parliament, as I have often shewn : But who can endure to hear such a senseless Fellow, such a *French Mountebank* as you, declare what our Laws are ? And you *English Fugitives*, so many Bishops, Doctors, Lawyers, who pretend that all Learning and Ingenuous Literature, is fled out of *England* with yourselves, was there not one of you that could defend the King's Cause and your own, and that in good *Latin* too, to be submitted to the judgment of other Nations, but that this brain-sick, beggarly *Frenchman* must be hired to undertake the Defence of a poor indigent King, surrounded with so many Infant-Priests and Doctors ? This very thing I assure you, will be a great imputation to you amongst Foreigners ; and you will be thought deservedly to have lost that Cause that you were

were so far from being able to defend by Force of Arms, as that you cannot so much as write in behalf of it. But now I come to you again, good-man goose-cap, who scribble so finely ; if at least you are come to your self again ; for I find you here towards the latter end of your Book, in a deep sleep, and dreaming of some voluntary *Death* or other, that's nothing to the purpose. Then you *deny that 'tis possible for a King in his right wits to embroil his people in Seditions, to betray his own Forces to be slaughtered by Enemies, and raise Factions against himself.* All which things having been done by many Kings, and particularly by *Charles* the late King of England, you will no longer doubt, I hope, especially being addicted to Stoicism, but that all Tyrants, as well as profligate Villains, are downright mad. Hear what *Horace* says, 'Whoever through a senseless Stupidity, or any other cause whatsoever, hath his Understanding so blinded, as not to discern truth, the *Stoicks* account of him as of a mad-man : And such are whole Nations, such are Kings and Princes, such are all Man kind? except those very few that are Wise. So that if you would clear King *Charles* from the Imputation of acting like a Mad-man, you must first vindicate his integrity ; and show that he never acted like an ill man. But a King, you say, cannot commit *Treason against his own Subjects and Vassals.* In the first place, since we are as free as any People under Heaven, we will not be impos'd upon by any Barbarous Custom of any other Nation whatsoever. In the second place, Suppose we had been the King's Vassals ; that Relation would not have obliged us to endure a Tyrant to Reign and Lord it over us. All Subjection to Magistrates, as our own Laws declare, is circumscribed, and confined within the

the bounds of *Honesty*, and the *Publick Good*. Read *Leg. Hen. 1. Cap. 55*. The Obligation betwixt a Lord and his Tenants, is mutual, and remains so long as the Lord protects his Tenant; (this all our Lawyers tells us) but if the Lord be too severe and cruel to his Tenant, and do him some heinous Injury, *The whole Relation betwixt them, and whatever Obligation the Tenant is under by having done Homage to his Lord, is utterly dissolv'd and extinguish'd*. These are the very words of *Bracton* and *Fleta*. So that in some Case, the Law it self warrants even a Slave, or a Vassal to oppose his Lord, and allows the Slave to kill him, if he vanquish him in Battle. If a City, or a whole Nation may not lawfully take the Course with a Tyrant; the Condition of Freemen will be worse than that of Slaves. Then you go about to excuse King *Charles's* shedding of Innocent Blood; partly by Murders committed by other Kings, and partly by some Instances of Men put to Death by them lawfully. For the matter of the *Irish Massacre*, you refer the Reader to *Εἰκὼν Βασιλική*; and I refer you to *Εἰκονοκλάτες*. The Town of *Rochel* being taken, and the Towns-men betray'd, assistance shown, but not afforded them; you will not have laid at *Charles's* door; nor have I any thing to say, whether he was faulty in that business or not; he did mischief enough at home; we need not enquire into what Misdemeanors he was guilty of abroad. But you in the mean time would make all the Protestant Churches, that have at any time defended themselves by force of Arms against Princes, who were profess'd Enemies of their Religion to have been guilty of Rebellion. Let them consider how much it concerns them for the maintaining their Ecclesiastical Discipline, and asserting their own Integrity, not to pass by so great an Indignity

dignity offered them by a Person bred up by and amongst themselves. That which troubles us most, is, that the *English* likewise were betray'd in that Expedition. He, who had design'd long ago to convert the Government of *England* into a Tyranny, thought he could not bring it to pass, till the Flower and Strength of the Military Power of the Nation were cut off. Another of his Crimes was, the causing some words to be struck out of the usual Coronation-oath, before he himself would take it. Unworthy and abominable Action! The Act was wicked in it self; what shall be said of him that undertakes to justify it? For, by the Eternal God, what greater breach of Faith, and Violation of all Laws can possibly be imagin'd? What ought to been more sacred to him, next to the Holy Sacraments themselves, than that Oath? Which of the two do you think the more flagitious Person, him that offends against the Law, or him that endeavours to make the Law equally guilty with himself? Or rather him who subverts the Law it self, that he may not seem to offend against it? For thus, that King violated that Oath which he ought most religiously to have sworn to; but that he might not seem openly and publickly to violate it, he craftily adulterated and corrupted it; and least he himself should be accounted perjurd, he turn'd the very Oath into a Perjury. What other could be expected, then that his Reign would be full of Injustice, Craft, and Misfortune, who began it with so detestable an Injury to his People? And who durst pervert and adulterate that Law which he thought the only Obstacle that stood in his way, and hindred him from perverting all the rest of the Laws? But *that Oath* (thus you justify him) *lays no other Obligation upon Kings, then the Laws themselves* do;

do ; and Kings pretend that they will be bound and limited by Laws, tho indeed they are altogether from under the Power of Laws. Is it not prodigious, that a Man should dare to express himself so sacrilegiously, and so senselessly, as to assert that an Oath sacredly sworn upon the Holy Evangelists, may be dispensed with, and set aside as a little insignificant thing, without any Cause whatsoever ! *Charles* himself refutes you, you Prodigy of Impiety : Who thinking that Oath no light matter, chose rather by a Subterfuge to avoid the force of it, or by a Fallacy to elude it, than openly to violate it ; and would rather falsifie and corrupt the Oath, then manifestly forswear himself after he had taken it. But, *The King indeed swears to his People, as the People do to him ; but the People swear Fidelity to the King, not the King to them.* Pretty Invention ! Does not he that promises, and binds himself by an Oath to do any thing to, or for another, oblige his Fidelity to them that require the Oath of him ? Of a truth, every King swears *Fidelity*, and *Service*, and *Obedience* to the People, with respect to the performance of whatever he promiset^h upon Oath to do. Then you run back to *William* the Conqueror, who was forced more than once to swear to perform, not what he himself would, but what the People, and the great Men of the Realm requir'd of him. If many Kings are Crown'd without the usual Solemnity, and Reign without taking any Oath, the same thing may be said of the People ; a great many of whom never took the Oath of Allegiance. If the King by not taking an Oath be at Liberty, the People are so too. And that part of the People that has sworn, swore not to the King only, but to the Realm, and the Laws, by which the King came to his Crown ; and no otherwise to the King, than whilst he should

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and according to those Laws, that the Common People, that is, the House of Commons, should chuse; (*quas Vulgus elegerit.*) For it were folly to alter the Phrase of our Law, and turn it into more genuine Latin. This Clause (*Quas Vulgus elegerit;*) Which the Commons shall chuse, Charles before he was Crown'd, procured to be razed out. But, say you, without the King's assent the People can chuse no Laws; and for this you cite two Statutes, viz. Anno 37 H. 6. Cap. 15. and 13 Edw. 4. Cap. 8. but those two Statutes are so far from appearing in our Statute-books, that in the years you mention, neither of those Kings enacted any Laws at all. Go now and complain, That those Fugitives who pretended to furnish you with matter out of our Statutes, imposed upon you in it; and let other People in the mean time stand astonish'd at your Impudence and Vanity, who are not asham'd to pretend to be thoroughly vers'd in such Books, as it is so evident you have never look'd into, nor so much as seen. And that Clause in the Coronation-Oath, which such a brazen-fac'd Brawler as you call fictitious, *The King's Friends*, you say your self, acknowledge that it may possibly be extant in some Ancient Copies, but that it grew into disuse, because it had no convenient signification. But for that very reason, did our Ancestors insert it in the Oath, that the Oath might have such a signification as would not be for a Tyrant's conveniency. If it had really grown into disuse, which yet is most false; there was the greater need of reviving it; but even that would have been to no purpose, according to your Doctrine: For that Custom of taking an Oath, as Kings now-adays generally use it, is no more, you say, than a bare Ceremony. And yet the King, when the Bishops were to be put down, pretended that he could not do

do it by reason of that Oath. And consequently, that reverend and sacred Oath, as it serves for the Kings turn, or not, must be solemn and binding, or an empty Ceremony. Which I earnestly entreat my Country-men to take notice of, and to consider what manner of a King they are like to have, if he ever come back. For it would never have entred into the thoughts of this Rascally-foreign Grammarian to write a Discourse of the Rights of the Crown of England, unless both *Charles Stuart* now in Banishment, and tainted with his Fathers Principles, and those Profligate Tutors that he has along with him, had industriously suggested him what they would have writ. They dictated to him, *That the whole Parliament were liable to be proceeded against as Traitors, because they declar'd without the Kings Assent all them to be Traitors, who had taken up Arms against the Parliament of England; and that the Parliaments were but the King's Vassals: That the Oath which our Kings take at their Coronations, is but a Ceremony:* And why not that a Vassal too? So that no reverence of Laws, no sacredness of an Oath, will be sufficient to protect your Lives and Fortunes, either from the Exorbitance of a furious, or the Revenge of an exasperated Prince, who has been so instructed from his Cradle, as to think Laws, Religion, nay, and Oaths themselves bought to be subject to his Will and Pleasure. How much better is it, and more becoming yourselves, if you desire Riches, Liberty, Peace, and Empire, to obtain them assuredly by your own Virtue, Industry, Prudence, and Valour, than to long after, and hope for them in vain under the Rule of a King? They, who are of opinion that these things cannot be compass'd, but under a King, and a Lord; it cannot well be expressed how mean, how base,

base ; I do not say , how unworthy thoughts they have of themselves ; for in effect , what do they other than confess , that they themselves are lazy , weak , senseless , silly Persons , and fram'd for Slavery , both in Body and Mind ? And indeed all manner of Slavery is scandalous and disgraceful to a freeborn ingenious Person ; but for you , after you have recovered your lost Liberty by God's Assistance , and your own Arms ; after the performance of so many valiant Exploits , and the making so remarkable an Example of a most Potent King , to desire to return again into a Condition of Bondage and Slavery , will not only be scandalous and disgraceful , but an impious and wicked thing ; and equal to that of the *Israelites* , who for desiring to return to the *Egyptian* Slavery , were so severely punish'd for that sordid , slavish Temper of mind , and so many of them destroy'd by that God , who had been their Deliverer . But what say you now , who would persuade us to become Slaves ? *The King* , say you , *had a Power of pardoning such as were guilty of Treason , and other Crimes ; which evinces sufficiently , that the King himself was under no Law .* The King might indeed pardon Treason , not against the Kingdom , but against himself ; and so may any body else pardon wrongs done to themselves ; and he might , perhaps , pardon some other Offences , tho not always ; but does that follow , because in some Cases he had the Right of saving a Malefactor's life , that therefore he must have a Right to destroy all good Men ? If the King be impleaded in an inferior Court , he is not obliged to Answer , but by his Attorney : Does it therefore follow , that when he is summon'd by all his Subjects to appear in Parliament , he may chuse whether he will appear or no , and refuse to Answer in Person ? You say , *That we endeavour to*

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justify what we have done by the Hollander's Example; and upon this occasion, fearing the loss of that Stipend with which the *Hollanders* feed such a Murraine and Pest as you are, if by reviling the *English*, you should consequentially reflect upon them that maintain you, you endeavour to demonstrate *how unlike their Actions and ours are.* The Comparison that you make betwixt them, I resolve to omit (tho many things in it are most false, and other things flattery all over, which yet you thought your self obliged to put down, to deserve your Pension.) For the *English* think they need not alledge the Examples of Foreigners for their Justification. They have Municipal Laws of their own, by which they have acted; Laws with relation to the matter in hand, the best in the World: They have the Examples of their Ancestors, Great and Gallant Men for their imitation, who never gave way to the Exorbitant Power of Princes, and who have put many of them to Death, when their Government became insupportable. They were born free, they stand in need of no other Nation, they can make what Laws they please for their own good Government. One Law in particular they have a great Veneration for, and a very Ancient one it is, enacted by Nature it self, That all Humane Laws, all Civil Right and Government must have a respect to the safety and welfare of good Men, and not be subject to the Lusts of Princes. From hence to the end of your Book, I find nothing but Rubbish and Trifles, pick'd out of the former Chapters; of which you have here rais'd so great a heap, that I cannot imagine what other design you could have in it, than to presage the ruin of your whole Fabrick. At last, after an infinite deal of tittle tattle, you make an end, calling *God to witness, that you undertook*

der took the defence of this Cause, not only because you were desired so to do, but because your own Conscience told you, that you could not possibly undertake the Defence of a better. Is it fit for you to intermeddle with our matters, with which you have nothing to do, because you were desired, when we our selves did not desire you? to reproach with contumelious and opprobrious language, and in a Printed Book, the Supreme Magistracy of the English Nation, when according to the authority and power that they are entrusted with, they do but their duty within their own Jurisdiction, and all this without the least injury or provocation from them (for they did not so much as know that there was such a man in the world as you)? And I pray by whom were you desired? By your Wife, I suppose, who, they say, exercises a Kingly Right and Jurisdiction over you; and whenever she has a mind to it (as *Fulvia* is made to speak in that obscene Epigram, that you collected some *Centoës* out of, *Pag.* 320.) cries, *Either write, or let's fight*; That made you write perhaps, lest the signal should be given. Or were you asked by *Charles* the Younger, and that profligate Gang of Vagabond Courtiers, and like a second *Balaam* call'd upon by another *Balak* to restore a desperate Cause by ill writing, that was lost by ill fighting? That may be; but there's this difference, for he was a wise understanding man, and rid upon an Ass that could speak, to curse the People of God: Thou art a very talkative Ass thy self, and rid by a Woman, and being surrounded with the healed heads of the Bishops that heretofore thou hadst wounded, thou seem'st to represent that Beast in the *Revelation*. But they say that a little after you had written this Book, you repented of what you had done. 'Tis well if it be so; and to make your repentance

publick, I think the best course that you can take will be, for this long Book that you have writ, to take a Halter, and make one long Letter of your self. So *Judas Iscariot* repented, to whom you are like ; and that young *Charles* knew , which made him send you the Purse, *Judas* his Badg ; for he had heard before, and found afterward by experience, that you were an Apostate and a Devil. *Judas* betray'd *Christ* himself, and you betray his Church ; you have taught heretofore that Bishops were *Antichristian*, and you are now revolted to their party : You now undertake the Defence of their Cause, whom formerly you damn'd to the pit of Hell : *Christ* delivered all men from Bondage, and you endeavour to enslave all mankind. Never question, since you have been such a Villain to God himself, his Church, and all mankind in general, but that the same fate attends you that beset your equal, out of despair rather than repentance, to be weary of your life, and hang your self, and burst asunder as he did ; and to send before-hand that faithless and treacherous Conscience of yours, that railing Conscience at good and holy men, to that place of torment that's parpared for you. And now I think, through God's assistance, I have finished the Work I undertook, to wit, the defence of the Noble Actions of my Country-men at home and abroad, against the raging and envious madness of this distracted Sophister ; and the asserting of the common Rights of the People against the unjust domination of Kings, not out of any hatred to Kings, but Tyrants : Nor have I wittingly left unanswered any one argument alledged by my adversary, nor any one example or authority quoted by him, that seem'd to have any force in it, or the least colour of an argument. Perhaps I have been guilty rather of the other extreme,

treme, of replying to some of his fooleries and trifles, as if they were solid arguments, and thereby may seem to have attributed more to them than they deserved. One thing yet remains to be done, which perhaps is of the greatest concern of all, and that is, That you, my Country-men, refute this adversary of yours your selves ; which I do not see any other means of your effecting, than by a constant endeavour to out-do all men's bad words by your own good deeds. When you laboured under more sorts of oppression than one, you betook your selves to God for refuge, and he was graciously pleased to hear your most earnest Prayers and Desires. He has gloriously delivered you, the first of Nations, from the two greatest mischiefs of this life, and most pernicious to Virtue, Tyranny and Superstition ; he has endued you with greatness of mind, to be first of mankind, who after having conquered their own King, and having had him delivered into their hands, have not scrupled to condemn him Judicially, and pursuant to that Sentence of Condemnation, to put him to death. After the performing so Glorious an Action as this, you ought to do nothing that's mean and little, not so much as to think of, much less to do any thing but what is great and sublime. Which to attain to, this is, your only way ; As you have subdued your Enemies in Field, so to make appear, that unarmed, and in the highest outward peace and tranquility, you of all mankind are best able to subdue Ambition, Avarice, the love of Riches, and can best avoid the corruptions that Prosperity is apt to introduce ; (which generally subdue and triumph over other Nations) to show as great Justice, Temperance and Moderation in the maintaining your Liberty, as you have shown courage in freeing your selves from slavery.

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These are the only Arguments by which you will be able to evince that you are not such persons as this fellow represents you, *Traytors, Robbers, Murderers, Parricides, Mad-men*; that you did not put your King to death out of any ambitious design, or a desire of invading the Rights of others, not out of any seditious Principles or sinister ends; that it was not an act of fury or madness; but that it was wholly out of love to your Liberty, your Religion, to Justice, Vertue, and your Countrey, that you punished a Tyrant. But if it should fall out otherwise (which God forbid) if as you have been valiant in War, you should grow debauch'd in Peace, you that have had such visible demonstrations of the Goodness of God to your selves, and his Wrath against your Enemies; and that you should not have learned by so eminent, so remarkable an example before your eyes, to fear God, and work Righteousness, for my part, I shall easily grant and confess (for I cannot deny it) whatever ill men may speak or think of you, to be very true. And you will find in a little time, That God's Displeasure against you, will be greater than it has yet been against your Adversaries, greater than his Grace and Favour has been to your selves, which you have had larger experience of, than any other Nation under Heaven.

F I N I S.

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